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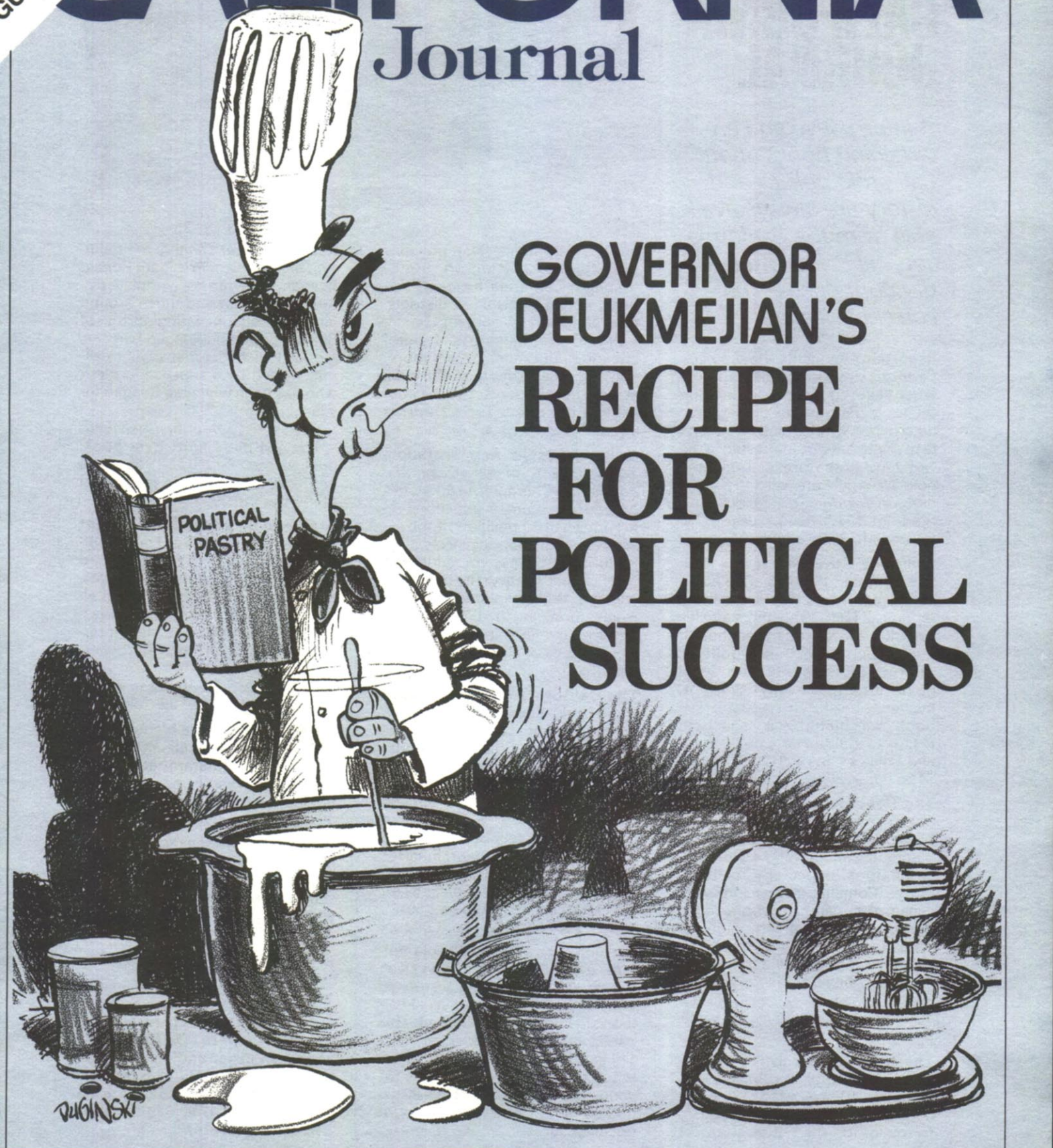
GUIDE TO SACRAMENTO

ANALYSIS OF STATE GOVERNMENT AND POLITICS

APRIL 1985 $2.50

CALIFORNIA Journal



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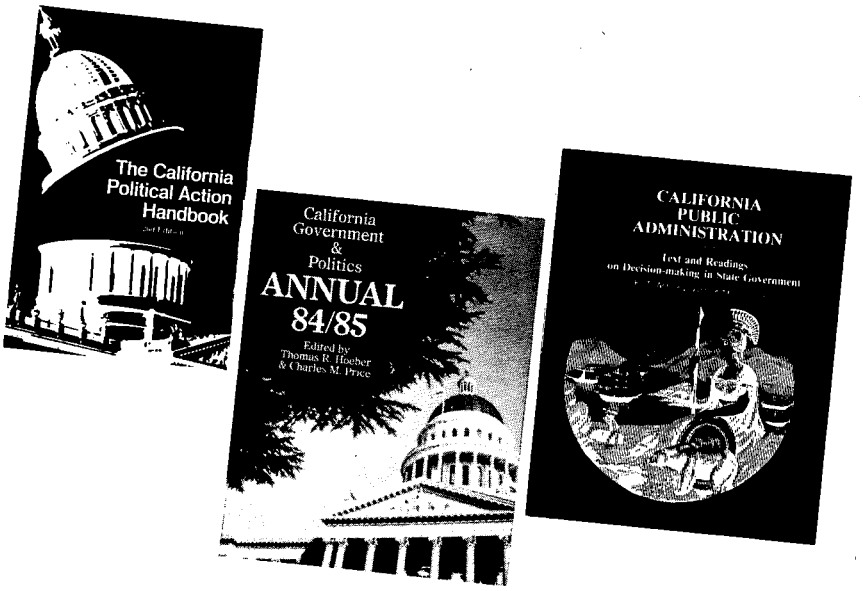
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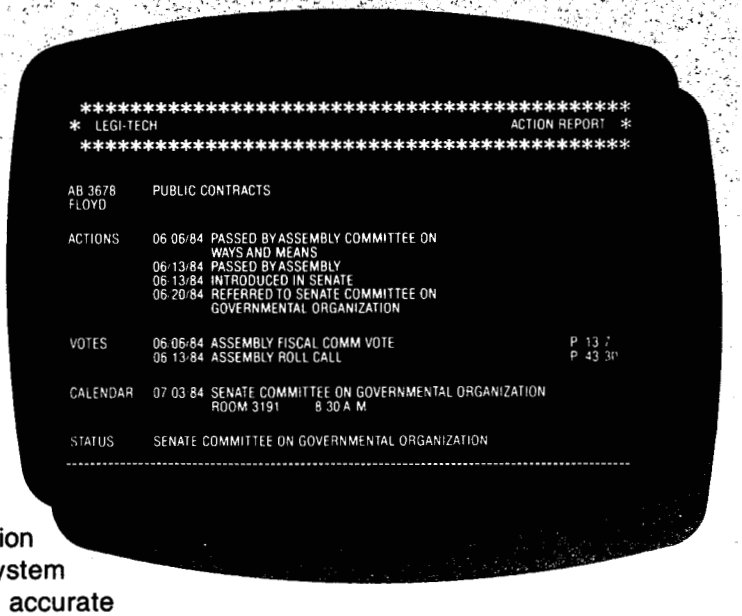
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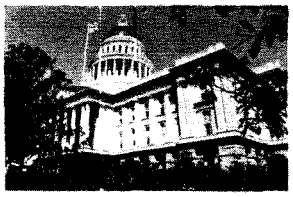

Capitol review

Maybe it's a case of fighting fire with fire, but as Dan Stanford, youngish chairman of the Fair Political Practices Commission, goes forth to do battle with the evil men and women who produce deceptive political campaigns, one should be aware that he is throwing about a few exaggerations and overblown promises himself.

Stanford laid out his proposal in a statement to reporters March 4th. To suggest the flavor of his campaign, his opening paragraphs are reprinted below.

It is time to stop talking about the subject of dirty campaigns and begin doing something about it. The public has a right to demand integrity in government, including integrity in campaigns, and the Fair Political Practices Commission has an obligation to do everything it can to preserve, promote and protect the public's confidence in the electoral process.

The time for action is now. The California voting public is justifiably outraged over the tactics used in some political campaigns and the distortions employed by some candidates and initiative campaigns. The outrage has fueled a disease of disenchantment among citizens, which is evidenced by declining voter participation in the process. More people watched the final episode of M.A.S.H. than voted in the last presidential election. The disease must be cured before it destroys the body politic.

Today, I am announcing a proposal which I hope will be the first step on the journey toward finding a cure. It is the boldest, most innovative political reform proposal since the reforms of the early '70s, including the Political Reform Act of 1974. It is a proposal which can work to clean up politics in California.

The major proposal — as outlined in detail in the background memorandum provided to you (reporters) — is to register or license paid professional political consultants and, then, regulate their professional conduct. It is our intention to require a license to practice the profession in this state and to regulate, to the fullest extent allowed by the constitution, the conduct of those who are paid as professionals in this field.

So there it is, the boldest, most innovative proposal in a decade or more. So much for all those people who think public financing of election campaigns is radical stuff, and so much for those who put Proposition 40 on the ballot only last November — the one that would have shut big corporations and labor unions out of campaign finance. And isn't it wonderful that we're finally going to clean up politics, if only in California. Plato, Seneca, Sir Thomas More, Thomas Jefferson and all those others who have pondered the ways of governance will — if they are still watching — be so pleased.

As Stanford tells it, we can abolish outrageous tactics and campaign distortions by yanking the licenses of campaign consultants who violate our rules.

The only trouble is that his proposal won't work, at least not in the grandiose manner that he is promising. Even if one concedes that consultants are as important to political campaigns as Stanford makes them out to be, they and their campaign materials are still protected by constitutional guarantees of free speech.

According to the background memorandum that Stanford himself distributed to reporters, "The courts have generally held that content-based regulation and prior restraints on speech are unconstitutional methods of controlling political speech." In other words, you can't control the content of campaign statements and you can't stop people from making them.

True, once a statement has been made, the person who made it may be sued for libel. However, the memorandum also points out that those who sue political figures must prove that the allegedly false and misleading statements were made with "actual malice." And it's enough to cite recent publicity over the Westmoreland and Sharon trials to indicate the big, big problems that proving "actual malice" involves.

But the memorandum, prepared by FPPC attorneys, was an 18-page, densely-reasoned piece of work that got relatively little attention as Stanford continued with his far-reaching claims. On March 12th, for instance, he again declared in effect that his plan would rid the state of deceptive campaigns:

Every vote is important to the democratic process, and it is time someone stood up for the disenfranchised voters. Every vote which is cast based upon a voter's belief in false and misleading campaign material is a disenfranchised vote . . . It is time for voters to stand together, denounce false and misleading campaigns and demand direct action to bring about clean, issues-oriented campaigns.

There are two ironies in all this. By exaggerating and promising more than he can reasonably expect to deliver, Stanford emulates the very persons he would control. But more importantly, his exaggerations have aroused so much fear of censorship among political consultants and others (including Governor George Deukmejian) that the resultant controversy threatens to sink his entire plan.

And that would be a shame. For in addition to licensing political consultants and regulating their conduct, Stanford's proposal includes several modest but potentially beneficial provisions. One would require consultants to disclose their sources of income, economic interests, expenditures of campaign funds and so on, much as political candidates and government officials already do. If nothing else, this could give the public a far better understanding of who is actually running various initiative campaigns, and why.

As this is written, Stanford is backing away from his initial proposal by dropping the idea of drafting a "code of ethics" that campaign consultants would have to follow. But the controversy remains, and it's impossible to say now whether Stanford — who must win legislative and gubernatorial approval for any plan — can rescue even a modified version.

However, as was reported in this magazine last August, he is a bright, witty and resourceful man who apparently has been doing a fine job at the FPPC. Thus if anyone can pull it off, it may be he. As many around the Capitol would agree, when he speaks calmly and realistically, he's got a lot to say. Otherwise, he's got a great future as a campaign consultant. Robert Fairbanks

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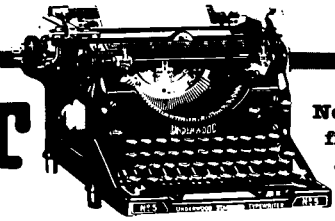
UP FRONT



Notes and Items from Contributors and the Journal Staff.

Bakersfield businessman Bill Park, the California Republican Party's new vice chairman and its likely chairman in 1987-1988, is known as "Mr. Republican" in Kern County. But he's been known to place his principles above party loyalty. Park and five other contributors to Proposition 6, the 1982 initiative that abolished the inheritance tax, sued its sponsor, Republican Assemblyman Don Rogers of Bakersfield, three years ago, charging him and two other initiative directors with misusing campaign funds. Park felt it was unethical for Rogers to have used initiative appeals to raise funds for Republican candidates in contested primary elections. Rogers later returned $1400 in contributions to Park and the five other plaintiffs in an out-of-court settlement. Party sources say Rogers, who survived the embarrassment but won re-election to the Assembly with just 51 percent of the vote in 1982, is still bitter about Park's involvement in the suit. The assemblyman, though publicly supported Park's bid for vice chairman. Some of Rogers' delegates to the state convention, however, weren't so forgiving and publicly supported Park's challenger for the state post — Ingrid Azevedo of Elk Grove.

(Bruce Scheidt, Sacramento)

Betty Smith, the state Democratic chair, would like it known that she has always supported the confirmation of Chief Justice Rose Bird for another term on the Supreme Court. Smith drew the wrath of Assembly Speaker Willie Brown last January after *The San Francisco Examiner* quoted her as saying that Bird and her colleagues should be more concerned with "fairness" than with "technicalities" that put criminals back on the street. According to Smith, *The Examiner* failed to add her additional statement of support for Bird.

(Bud Lembke, Sacramento)

Governor Deukmejian hasn't exactly said "I told you so," but press secretary Larry Thomas is distributing copies of a Texas newspaper story about unhappiness at MCC, the big computer research corporation that chose Texas over California two years ago (See "Texas 1, California 0," *CJ*, October 1983). President Bobby Ray Inman says MCC chose to put its new facilities in Austin largely because of promises that the nearby University of Texas would receive nearly $30 million in new money for computer-related research. But now the Texas Legislature, facing a big deficit, is talking about a 26 percent reduction in university funds. Meanwhile, of course, Deukmejian and the California Legislature have been giving hefty increases to UC.

A warning label on honey? Yes, indeed. The State Department of Health Services says that honey may carry botulism that is harmful to children under one year of age. Thus, at the department's request, Senator Marian Bergeson is carrying a warning-label bill (SB866). As might be expected, the honey industry is a-buzz, seeking to assure that the label's language doesn't affect other sales and that the label is affixed to imported honey as well.

Marian Ash is starting a new career at age 61. Known around the Capitol for the last 10 years as head of the political reform division in the secretary of state's office, and before that as publisher of a legislative newsletter, she has become director of the California Conservation Corps Training Academy. Becoming head of the CCC's boot camp at her age, Ash says, ought to convince other "mature" persons, especially women, that they, too, can seek new horizons.

What with the need for increased security, the governor's office has outfitted the Capitol press corps with a whole new set of ID cards. No more of those crumby little pieces of cardboard that say "Press" and have the reporter's name and employer typed below. Now everyone has a big hunk of laminated plastic that cries "Media" and carries a color photo of the reporter on its face. But there have been some problems with getting the personal information that's supposed to be on the backsides of the new ID's. According to informed sources, one reporter refused to disclose her weight on the ID application form. Another listed his hair color as "brown" despite many prominent strands of gray. The informed sources report that proper information eventually was obtained and that the cards are now models of accuracy. Well, not quite. The governor's office misprinted the ID birthdate of Martin Smith, political editor of *The Sacramento Bee*, adding 10 years to his life. Smith says he plans to use it someday for badgering the governor's office with charges of cruel and unusual punishment against the press.

Lobbyist Jon Mayhew, having addressed a class of junior high school students in Sacramento not long ago, has received a package of "thank you" letters, each with a comment on his 90-minute talk. Among other things, the students said:

— You diminished the image I had of lobbyists dealing with blackmail and other unlawful things.

— I learned a lot from the booklets you brought, such as our state reptile really is a desert tortoise.

— I learned things like you become a lobbyist by accident — there is no college to become a lobbyist, and some lobbyists have lobbyists.

— I enjoyed the part where you decided to help us on our history assignment, writing a bill and having you decide whether or not it would pass.

— We enjoyed the talk and the period off from school.

— I didn't know a bill had to go through so many people.

— Your instruction . . . was better than our history book which just leads you on a wild goosechase about our government.

— I am planning on getting involved in politics when I'm older . . . I may see you in the White House.

— I thought (a lobbyist) just took a congressman out to eat and bribed him/her, but you set me straight.

State Controller Ken Cory, a loyal Democrat, was about six weeks late in making his latest appointment to the Fair Political Practices Commission and staff aides say it was because he had to appoint an — ugh — Republican. Under the Political Reform Act of 1974, which created the FPPC, no more than three of the five FPPC members may be from the same party. Since there were already three Democrats on the Commission, Cory had to choose a Republican from a list of five given him by the GOP state chairman. Cory got the list December 21st, in plenty of time to make an appointment before January 31st, when the term of his

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former appointee, Art Metzger, expired. Finally, in a March 6th letter to the FPPC, he announced his choice: South Pasadena attorney Michael B. Montgomery, the 1977-78 state Republican chairman. Aides indicate that he chose Montgomery as the lesser of several evils.

(Ron Roach, Sacramento)

Capitol Network, a women's group composed of legislators, lobbyists and department heads, held another of its twice-a-year dinners in February at which prominent males around the Cap-

mong those waiting tables at the February meal were -to-r.): Rick Melendez, an ARCO lobbyist; Assemblyman rank Hill (partially hidden); and John Iander, Capitol re- orter for KOVR-TV, Sacramento. And, of course, the man ut front is Senate pro Tem Dave Roberti who, with the shes, actually *looks* like a waiter.

itol served the drinks and food. Lobbyist Diane Strong says this dinner was especially pleasant for her because Clay Jackson, her former boss, was one of the waiters. There'll be another dinner when this year's legislative session ends. "The governor would be fun," Strong says.

A battle is shaping up in the Legislature over a bill (SB315) by Democratic Senator Joe Montoya of El Monte to require licensing of financial planners, in the wake of recent bilking of investors in Sacramento and San Diego. The banks, which are increasingly extending into financial planning, are lobbying heavily against the bill. Montoya won the first round when the Senate Rules Committee assigned his measure to his own committee, Business and Professions, rather than to the Banking and Commerce Committee. But he anticipates trouble in the Assembly if the bill lands in the lap of the Finance, Insurance and Commerce Committee, where banks have clout. And though the North American Securities Administrators Association recently endorsed the Montoya bill as a model for other states, the Deukmejian administration's position is unclear. Corporations Commissioner Franklin Tom is remaining neutral so far, even though he is a member of NASAA. And the Department of Banks is expected to oppose the bill.

Bud Lembke, who's done quite a few articles and "up front" items for this magazine, has started a Sacramento newsletter called "Political Pulse." If names make the news, he's doing fine. We counted more than 80 mentions in his most recent four-page edition.

Sam Lubell, a pioneer pollster who interviewed people in various walks of life across America and wrote about it in a syndicated newspaper column, is in semi-retirement at Leisure World in Orange County's Laguna Hills. Now 73, he's working on his memoirs with his wife, Helen.

Congresswoman Bobbi Fiedler, invited to appear on a show taped in the U.S. Senate's television studio, was wandering about the corridors trying to find the place when none other than Senator Alan Cranston appeared and graciously showed her the way. None of which, of course, has diminished her desire to seek his seat in 1986.

(James R. Carroll, Washington)

Will California Associate Supreme Court Justice Stanley Mosk run for confirmation in November 1986, or won't he? Says Mosk, 72: "I'm not being coy or evasive, but I haven't made a decision. It's 18 months away. I've enjoyed the Court, but I have to decide if it's time to do something else." And what would the something else be? "Possibly teaching in law school," says Mosk.

Ann Bancroft, one of two Capitol correspondents for the *San Francisco Chronicle,* will take a leave on April 19th until the end of the year to spend more time with her son, Matthew, who turns three April 19th. She also plans to do some non-newspaper writing. The *Chronicle* will replace her and may expand the bureau to three reporters. Ann's husband is Bill Moore, Forum editor of *The Sacramento Bee.*

The Libertarian Party of California is alive and well despite not getting much publicity when 300 attended its state convention in San Mateo on the same February weekend when 2500 were attending the Republican convention in Sacramento, says chairman Jack Dean of Fullerton. While registration is off about 10,000 from the peak of 75,000 when Libertarians qualified for the ballot in 1980, Dean reports that the party's 1985 budget has been doubled, to $150,000, and two full-time staff members have been hired. Party members are also cheered by having elected two Libertarians to boards of supervisors last year: Erik Henrikson in Placer County and Tom Tryon in Calaveras County. Those are the highest offices Libertarians have attained in California.

In last month's issue we misidentified Carole A. Onorato, chair of the Water Resources Control Board, as the daughter of William A. Newsom, an appellate judge. We had her father's name right, but it's her brother, William A. Newsom Jr., who is the judge. Writer Mary Ellen Leary says Onorato liked the idea of suddenly having her younger brother appear older than she.

And our apologies to ARCO's Rick Melendez and Lou Bechtel for having put Melendez's words in Bechtel's mouth in our February article on the new look in lobbying. We should have attributed the quotes to Melendez, who handles ARCO's lobbying operations in California and six other states.

And speaking of ARCO, it is sponsoring a major portion of this year's Capitol Classic Golf Tournament. The event, staged by the Capitol's lobbying corps, will be held May 10th in Sacramento with proceeds going again to the Muscular Dystrophy Association.

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front," so rush your items to Up Front, 1714 Capitol Avenue, Sacramento 95814.*

As quickly as you start spending federal money in large amounts, it looks like free money.
— Dwight D. Eisenhower

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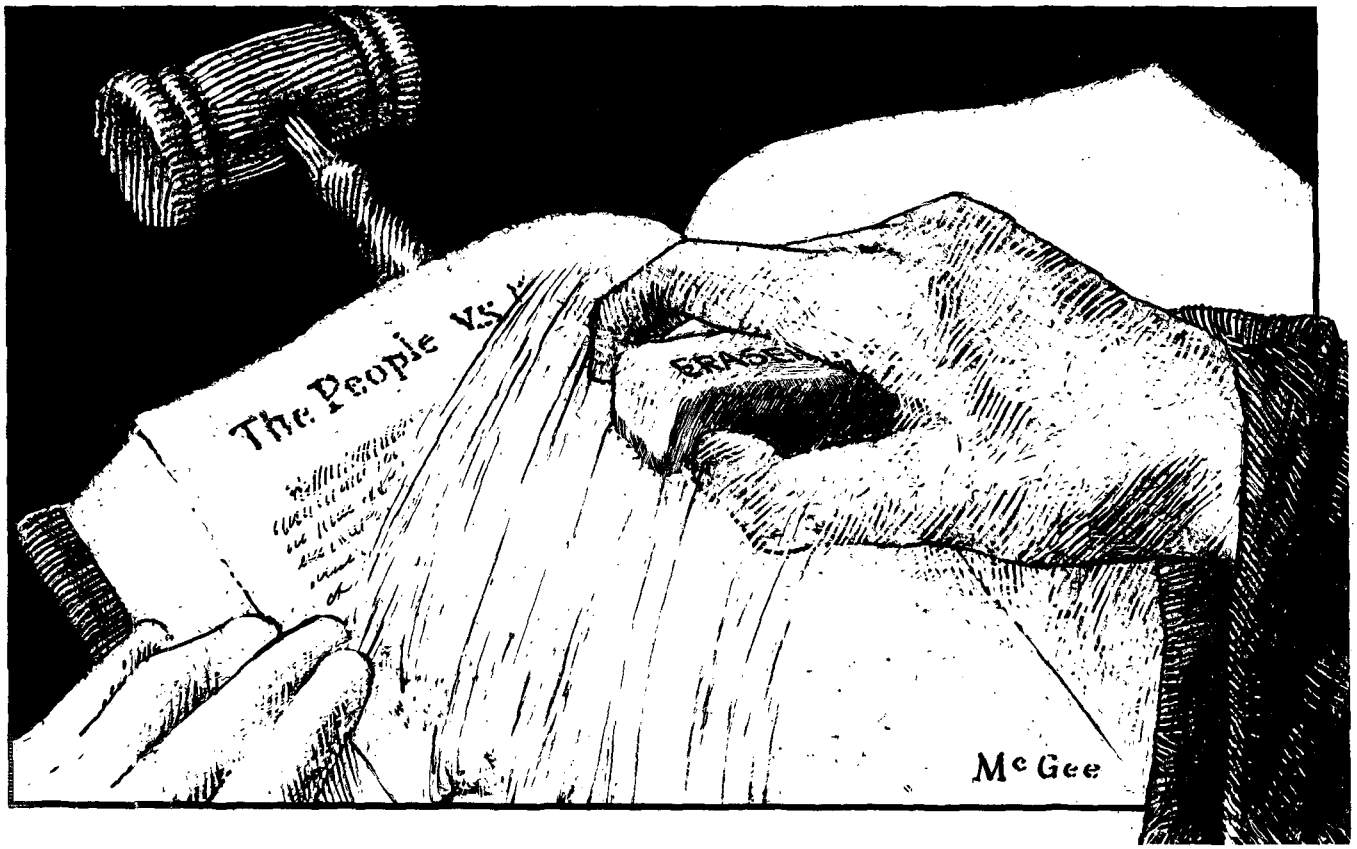
Esoteric Court practice undercuts California prosecutors



By ALAN ASHBY
and CAROL BENFELL

Attorney General John Van de Kamp, who has declared himself neutral in the already hot battle over next year's elections to the state Supreme Court, may find himself in the middle of things nonetheless. The reason is a little-publicized study done by his office several months ago. Essentially, it says that the Court has been undercutting the state's criminal prosecutors in a surprisingly arbitrary way. To date, Van de Kamp has not publicly released the study, but he will give key sections to those who ask.

The study covers an esoteric Supreme Court practice known as "depublication." Not used by any other state or federal court in the nation, it allows the seven justices of the California Court to declare that a decision handed down by one of the appellate courts below them may no longer be used as precedent to decide other cases. Furthermore — and this is the crux — the justices "depublish" appellate decisions without explaining themselves to anyone.

Apologists for the Court contend that the justices need the power of depublication to deal with lower court rulings that are flawed, but not so badly flawed that the Court should spend its time and energy on a formal reversal of each. (A formal reversal would require a public, written opinion, or opinions, from the Court.)

Critics reply that unless the justices explain themselves fully and publicly at all times, they are eroding the principle that the law should be formally reasoned, non-capricious and known to all.

In any case, the controversy has been on-going for several years but until Van de Kamp and his study came along, no one had examined a significant number of depublished cases to see how the Supreme Court was using its unique power. In a letter of complaint to Chief Justice Rose Bird last September, Van de Kamp cited the results. He said the study found that the Court was depublishing far more criminal decisions than civil ones, and that an overwhelming number of

Alan Ashby, an attorney employed by the state, co-authored this article while in his former employ as Capitol reporter for the Los Angeles Daily Journal. *Carol Benfell is a reporter for the* Oakland Tribune.

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the suppressed decisions would have set precedents favoring the prosecution.

In other words, if some prosecutor in the future wants — for instance — to introduce a particular piece of evidence over defense objections, he may be unable to find a previous case that establishes a precedent for his request. Thus the trial judge may deny him, and the evidence would go unheard.

None of this means that the depublished opinion literally ceases to exist. If, for instance, a district court of appeal hands down a ruling that clears the way for sending some wrong-doer to prison, the ruling remains on record and the wrong-doer still goes. But because the case had been depublished, the appellate court's reasoning cannot be used to justify another court action in a similar case at some time in the future.

An imperfect tool

Although Van de Kamp sent his letter of complaint to the chief justice, Bird herself opposes depublication and routinely dissents when it is ordered by her colleagues on the Court. "Depublication is a very imprecise and imperfect tool for shaping precedent," Bird told the California State Bar in her first State-of-the-Judiciary address in 1978. She warned that wholesale depublishing would mean that "neither of the two functions of the appellate process — justice and predictability — (are) being fulfilled."

Van de Kamp's study, conducted by Deputy Attorney General Jane N. Kirkland, covered cases depublished during 1982 and 1983 — the most recent information available. Its first finding was that the Court takes more interest in criminal cases than in civil. Although only about one third of all opinions published by California's courts of appeal involve criminal cases, the Supreme Court's depublication orders involved criminal cases two-thirds of the time.

Next, those who designed the study reasoned that if the Supreme Court were being even-handed, it would depublish pro and anti-prosecution rulings in about the same ratio as they are being initially published by the state's appellate courts. Thus the study included a sampling of appellate court rulings from 1982 to see what those courts were doing. And, results showed, the appellate courts that year published pro-prosecution rulings 60 percent of the time.

What was the Supreme Court doing? In 1982 it depublished pro-prosecution rulings 90 percent of the time. In an August 21, 1984, departmental memo, Kirkland commented: "The 30 percentage points difference in those figures is far too large to be merely chance but suggests the Supreme Court uses its depublication power to remove from precedential uses cases which help the prosecution."

Kirkland and company made no sampling of appellate court cases for 1983 so there is no way to make another direct comparison of ratios. However, the Supreme Court's depublication rate for pro-prosecution cases was 75 percent that year.

In terms of numbers, the courts of appeal published 772 criminal rulings in 1982 and 1983 and the Supreme Court depublished 104. Of the 104, 86 cases favored the prosecution and 10, the defense. Eight other depublished cases had aspects favoring both sides.

"From our day-to-day experience we speculated that we were getting the short end," Kirkland says now. "We were astonished to learn just how much of the short end we were really getting." She adds that when she and others were deciding whether a case was pro-prosecution or pro-defense, differences were resolved in favor of the defense.

Grodin for the defense

To date, the major defender of depublication is Justice Joseph A. Grodin — one of the five justices, including Bird, who is scheduled to be on the ballot in November 1986. In a *California Law Review* article last June, he called the practice "practical and proper." According to Grodin, depublication occurs only when "a majority of the justices consider the opinion to be wrong in some significant way, such that it would mislead the bench and bar if it remained as citable precedent."

Then why not accept the opinion for review and hand down a full-blown Supreme Court decision explaining exactly where and why the appellate court went wrong? In effect, Grodin's answer is that the Court has too much work. "The Court is not expected to, and cannot, grant a hearing in all cases in which it considers the outcome erroneous," he wrote.

A knowledgeable Court source who requested anonymity went further, saying that the Court is indeed tougher on pro-prosecution cases but not because of some secret agenda. The source says the Court believes that an erroneous pro-prosecution case, if allowed to stand, can cause far more damage than a pro-defense case, and used the following example:

Suppose a jury is given an instruction about the admissibility of evidence that allows certain evidence into trial. The defense objects to it, but the trial court gives the instruction anyway. On appeal, the court of appeal affirms the instruction.

If the high Court has substantial doubts about the rule of evidence, it's in a tough spot. If it lets the case stand, it becomes authority for every trial court in the state to give that instruction. If it reverses the case, it will reverse every conviction in the state in which that kind of instruction was given. Either way the social costs are very high.

On the other hand, if the court of appeal rules in favor of the defense, even if the justices have the same doubts about the ruling, the same mischief doesn't arise. All that happens is that the prosecution may have a little harder time proving their case. The Court won't be reversing a lot of convictions.

Steven White, who heads Van de Kamp's criminal division, protested that a "tougher time" for the prosecution should be as unacceptable to

CASES PUBLISHED

	Criminal cases	Civil cases	Total
1982	386 (35.7%)	696 (64.3%)	1082
1983	386 (32.1%)	815 (67.8%)	1201

CASES DEPUBLISHED

	Criminal cases	Civil cases	
1982	51 (67.1%)	25 (32.9%)	76
1983	53 (55.8%)	42 (44.2%)	95

CRIMINAL CASES DEPUBLISHED BY NATURE OF OPINION

	Favorable to Prosecution	Favorable to Defense	Something for both	Total
1982	46 (90%)	4 (8%)	1 (2%)	51
1983	40 (75%)	6 (11%)	7 (13%)	53
Total	86 (83%)	10 (9.6%)	8 (7.7%)	104

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BIRD

GRODIN

the Court as a tougher time for the defense. "It's like 'Who cares if the prosecution has a tougher time?' " he complained, "But that's not to be taken lightly."

Another critic of depublication, UC Berkeley law professor Stephen Barnett, also commented on the Court source's example. "If the decision is that bad, why not reverse it now? Here's a defendant whose conviction is allowed to stand even though it's clear to the Court that it's wrong."

But basically, White, Barnett and others oppose depublication because it allows the Court to shape the law without explaining itself. In a recent article in *The Los Angeles Times*, Barnett declared that depublication is "fundamentally subversive of the notion that courts must operate by making reasoned decisions . . . It's making law without deciding cases."

Depublication was once as unknown in California as it is now in the rest of the country. In the 1930s and 1940s the California Supreme Court would sometimes sneer at a lower court case, registering its disapproval in a vaguely worded order, but the opinion was nonetheless published. By the 1960s the flow of cases had grown to such proportions that the Supreme Court and the Legislature, by agreement, established the principal of selective publication. Under the new rule, only opinions which made new law or criticized existing law would be published.

Initially, the appellate court judges themselves decided which cases should be published and which should not. Those they stamped (and still stamp) "certified" go into the law books. Those stamped "not certified" cannot be cited as precedent but may be inspected on request at the court clerk's office.

But in 1971 the Supreme Court determined that the state constitution allows it to overrule appellate court certification decisions as it sees fit, and it has been doing so more and more frequently ever since. In 1972 the Court depublished 20 opinions; in 1982, 76 opinions; and in 1984 more than 100 opinions.

In his September letter to the chief justice, Van de Kamp asked Bird to abandon depublication altogether or else provide a statement of explanation along with each depublication order. Such a statement would "not only greatly assist me in (keeping the state's district attorneys apprised of changes in law) but it will also guide law-enforcement personnel in correctly meeting the requirements of state and federal law," Van de Kamp wrote.

"The bottom line," says White, Van de Kamp's criminal chief, "is that substantive law is being made as a result of depublication and we think the Supreme Court has an obligation to tell us why — particularly given the significant number of cases depublished."

Bird did not reply formally to Van de Kamp. But she may have smiled. Shortly after her 1978 address to the State Bar, she appointed a commission to explore the depublication issue. The commission ultimately recommended that depublication be limited to "common sense" cases where the opinion failed to state new law, and that the Court explain why it was depublishing a case. Both recommendations were rejected by the other justices on the Court.

Grodin, not a member of the Court then, said in his law review article that explaining depublication would be impossible because justices do not agree.

"It is difficult enough to pass intelligently upon 150 items at a (weekly) screening conference. I fear that to reach a consensus upon a statement of reasons for depublication would be a heroic feat . . . provocative, more likely of dissenting and concurring views. Such a procedure would do nothing to correct the perceived problem of the losing litigant in search of a reasoned explanation for his defeat."

Loyola law professor Gideon Kanner comments that "the Court is being unrealistic and otherworldly if it thinks it can go on very long without provoking the anger of litigants." A client spends considerable money litigating a case at the trial and court of appeal levels, he said. If he loses, he spends even more in an appeal to the state Supreme Court, which then lets the lower court decision stand. "They depublish the opinion but deny him relief in his own case. He asks his attorney what that means, and the attorney can only respond that he doesn't know."

In one recent case, for instance, an appellate court ruling allowed a minister and his church to be sued for malpractice because the minister counseled a troubled young man who later committed suicide. By depublishing the opinion, the high Court rejected that principle — yet the minister in this particular incident, and his parish, are still liable and perhaps wondering why.

In another ruling, the court of ap-

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peal reversed a man's conviction for the murder of his daughter, saying the jury was wrongly told that inflicting corporal punishment on a child was an "inherently dangerous felony." By depublishing, rather than reversing the decision, the Supreme Court allowed this father to go free but denied that relief to others.

"Depublication is a suppurating wound that is sapping the moral strength of the Court in the professional community," wrote U.C. Berkeley law professor Preble Stolz in a letter to Grodin before the law review article appeared. "I know of no lawyer or trial judge who will defend the practice on the merits and most think it at best laughable; at worst, immoral," Stolz wrote.

Others disagree. Court of Appeal Justice Leon Thompson told *The Los Angeles Times* that there are too many published opinions to begin with. The high Court does the "bar and bench a favor" by depublishing many lower court efforts, he said.

Another appeals court justice, who spoke anonymously to *The Times*, said the high Court uses depublication "in a rational framework" often when the lower court uses "too broad a brush."

Bird has continued to press for limits on depublication, and the Court is now considering a rule outlawing the present practice of allowing depublication at the request of outside groups — a widely criticized practice which denies advance warning even to the parties of the lawsuit.

The chief justice has also appointed a committee to develop rules to implement Proposition 32, passed by the voters last November. This constitutional amendment allows the Court to select the specific parts of a court of appeal decision on which it wants to rule, instead of the present all-or-nothing system.

Grodin predicts the proposition will reduce the need for depublication, a result he would welcome. Justice Allen Broussard, head of the chief justice's Proposition 32 committee, said it might have an indirect impact on the number of depublications, but there is no way to determine the extent of that impact, if any.

Whatever else it does, depublication produces a certain tension between the Supreme Court and the courts of appeal. Appellate judges greatly resent having their carefully drafted efforts zapped into oblivion without a word of explanation.

Perhaps the most colorful expression of that resentment was offered by former Third District Justice George Paras, a conservative who resigned from the appellate court in a gesture of protest against the Supreme Court. In 1979 Paras, joined by Justices Cruz Reynoso and Hugh Evans, certified for publication a criminal decision they believed would plug a loophole in the law which could allow a defendant to wrongfully escape conviction. Paras added a separate concurrence to the opinion, a sort of editorial postscript, in which he predicted that the decision would be depublished "because the result we reach will not be to the Supreme Court's liking."

Paras said the decision clearly fell within the guidelines for publication established by the Supreme Court and challenged the Court to either take it for hearing and establish its own rule or allow the decision to stand.

"If the Court disagrees with our holding, let it grant a hearing and decide the case according to its own wisdom and duty," Paras wrote. "But if it is not inclined to do so, I entreat it to discontinue the practice I here denounce."

The case, *People vs. Madrigal* (161 Cal. Rptr. 209), was ordered depublished by the California Supreme Court on the same day the Court refused to grant Paras' challenge for a hearing.

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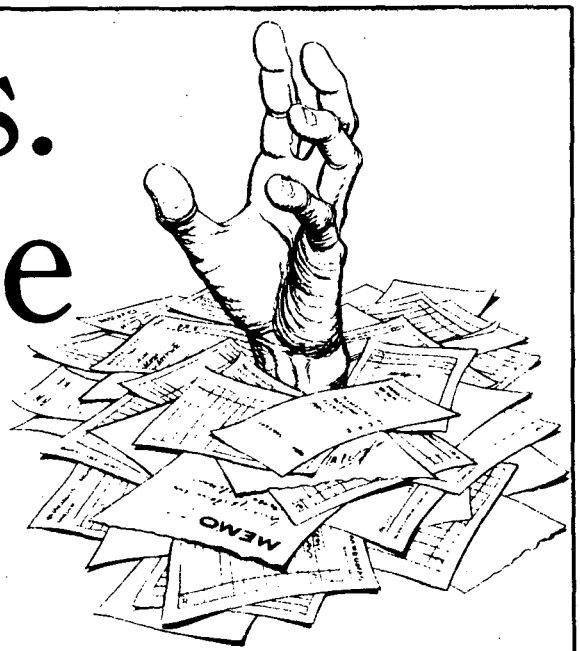
Insanity Vs. Self-Defense



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Making popularity into a piece of cake

By LARRY LIEBERT

Governor George Deukmejian, like most genuinely successful politicians, is blessed with timing as well as talent; good fortune as well as good instincts. When Mervyn Field's California Poll most recently assessed his status, it found Deukmejian to be more popular than Ronald Reagan ever was as California governor. Even now, after more than two years in office and many chances to make many enemies, his popularity matches the high point achieved by former Governor Jerry Brown during Brown's honeymoon period at the start of his first term (see box).

Yet, the public's regard for Deukmejian is in some ways distant and amorphous, indicating that there is little sense of closeness to him or of knowing him well. The same Field survey (conducted from January 28th to February 4th) found that only 52 percent of those questioned could describe something they liked about their popular governor. In contrast, during Jerry Brown's third year as governor, 96 percent could offer one or more positive comments about him.

Nonetheless, Deukmejian is such a success as governor that some leading Democrats privately despair that he may be virtually unbeatable when he runs for re-election in 1986. Indeed, only a few months ago, during the 1984 election campaigns, some Democratic legislators believed he was so popular that they were running campaign commercials that boasted of their good working relationships with him.

Some top advisers to the governor believe that he has been so successful at home that he could think seriously of seeking the Republican presidential nomination in 1988, and they openly lament that he resists any thought of it. "I would not put up a penny that he will decide to run," says Sacramento-based political consultant Doug Watts, who left Deukmejian's staff during the elections last year but still advises the governor. "But I would mortgage my house that if he decided to run today, he'd win."

So how did this stolid, even bland, politician — who barely won the governor's office in 1982 — become so successful? Based on interviews with those who know Deukmejian best and watch him most closely, here are his seven secrets of success:

Timing is Everything (or, Never Follow a Successful Act)

As governor, Jerry Brown dashed about, striving to make state government interesting, shake up the bureaucracy and add innovation to everything. But his act, and his uncontrollable urge for higher office, wore thin. When he left Sacramento after losing a campaign for the U.S. Senate, his career was bankrupt — as was the state treasury.

Steve Merksamer, Deukmejian's chief of staff, declares that Deukmejian would be a "perfect" governor at any time. But he agrees that the reputation of the Brown administration helped candidate Deukmejian along. "With all the problems that the state of California had two years ago, the people were not interested in being entertained. It was his (Deukmejian's) time."

B. T. Collins, who was gubernatorial chief of staff during Brown's final year, believes that no governor looks good at the end of two terms. "After eight years of Deukmejian, people will shrug and say, 'It's true taxes are down.' And there will be an exciting Democrat who comes along to get elected."

Larry Liebert is chief political correspondent for the San Francisco Chronicle.

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Avoid flamboyance (or, Boring is beautiful)

Although Deukmejian's aides often chafe at talk that he is boring, the governor himself recently quipped at a cocktail reception, "Eventually, after somebody listens to me talk for a while, they need a stiff drink." Indeed, his wildest passion may be for Baskin-Robbins' Jamoca Almond Fudge ice cream.

But Deukmejian supporters also note that the governor's no-charisma management allows voters to feel they can ignore the often dreary details of state government while he is minding the store. "People can worry about other things," says Ken Khachigian, a San Clemente attorney and one of Deukmejian's closest advisers. As pollster Field says of the governor, "He's making it (state government) uneventful."

The Deukmejian style is also apparent in his top staff. Overwhelmingly buttoned-down, it resembles nothing so much as a group of IBM executives and probably thinks along much the same lines. Initially, there were one or two relatively free spirits, those who would utter unformed thoughts or speak with wide-openness to the press. But though they may still be close to the governor, they are no longer on the staff. For instance, political aide Watts is privately consulting again.

There are some who wonder whether voters might eventually look for more of the innovation, if not adventure, that Brown brought to the governmental process. According to Democratic Assemblyman Gray Davis of Los Angeles, who was Brown's chief of staff, "At some point, normalcy will become the problem." But in the meantime, Davis looks upon Deukmejian as a "meat-and-potatoes" executive. "The governor is an honest, decent man and that comes through."

Never raise taxes (or, Speak only of loophole-closing)

Deukmejian's tumultuous first months in Sacramento sealed his image permanently as a tough guardian of the treasury. Inheriting a $1.5 billion deficit from Brown, he staunchly held the line against higher taxes and lucked out when a booming national economy produced enough revenue to make his rescue plan work like a charm. "There weren't six people in this building who thought he could get away without a tax increase," says one legislator who still sounds amazed.

Which doesn't mean that state revenues haven't risen a bit because of a few devices that the governor employed. While eschewing increases in general taxes, he signed legislation that raised nearly a billion dollars in new revenue through speed-ups in tax collections, tax-bracket adjustments and the dropping of a scheduled reduction in motor-vehicle license fees.

The ultimate reward for the governor's overall policies has been the creation of a state surplus that he has been squirreling into a rainy-day fund. However, some people believe that he may be planning for more; that is, to have enough extra money on hand in 1986 to offer voters a tax cut shortly before they vote on whether to re-elect him.

GEORGE DEUKMEJIAN AS GOVERNOR

	Excellent/ good	Fair	Poor/ very poor	No opinion
February 1985	51%	30	9	10
April 1984	43%	33	16	8
February 1984	43%	34	16	7
October 1983	42%	34	18	6
June 1983	36%	30	13	21
March 1983	27%	29	14	30

Source: The California Poll

Make the right enemies (or, Nobody loves the Legislature)

Deukmejian's adversaries in the budget battle that opened his administration were the Democratic leaders of a Legislature that was far from loved by many voters. Whatever the merits of their arguments for raising taxes and protecting state programs from Deukmejian's budget cuts, the Democratic leaders came off as carping critics.

Democrats evidently have come to realize that taking on the governor's tight-fisted policies is usually a no-win venture and this year have adopted a conciliatory tone. Also, with more money available in the state treasury, the governor has shown himself willing to spend more money for education and some other government endeavors that Democrats have supported all along.

Transcend politics (or, The art of not looking political.)

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certainly, Deukmejian is driven by a strong sense of purpose and is far from the stereotypical back-slapping, deal-making politician.

But a desire for good government is only one explanation for many deeds. For instance, some see politics behind his willingness to put more money into public education and toxic waste cleanup after Democrats initially championed both issues. "What his people have done shrewdly is understand that Republicans will vote for him as a bloc, and so the name of the game is to pick up 15 to 20 percent of the Democrats," says Clint Reilly, a Democratic political consultant based in San Francisco. "Deukmejian realizes that if he picks a few progressive issues he may be able to hold on to his base and attract the sufficient Democrats he needs to make himself invulnerable."

And, like other politicians, Deukmejian keeps close track of those who are his friends and those who are not. "That may not dictate how he will act at any particular moment, but he has a memory that doesn't quit," says Sal Russo, another former member of the governor's staff who is back in the private consulting business with his old partner, Watts. And there is no doubt that the governor can be good to those who have been good to him. Among other things, he has appointed his former law partner to the state Supreme Court, given state jobs to many fellow Armenians and put his personal barber on the state board that controls hair cutting.

Temper ideology with pragmatism (or, Elections are decided by the moderate vote)

There is no doubt that Deukmejian fills the bill as a conservative. His fiscal conservatism is symbolized by a tight-fisted attitude toward welfare, and it fits neatly with the law-and-order conservatism that helped get him elected. But when preaching his causes, his tone is so restrained and moderate that his constituents do not seem to view him as an ideologue.

And some say that it isn't just a matter of tone. "He believes very strongly in public service and government," says former Finance Director Franchetti, who also was chief of staff to Deukmejian when Deukmejian was state attorney general. "George Deukmejian has more of Earl Warren in him than Ronald Reagan in the sense that Warren (as governor of California) was a very pro-government kind of person. Deukmejian is more of a moderate than a right-wing conservative on 90 percent of the issues," Franchetti adds.

Republican Senator H. L. Richardson of Arcadia, godfather of the Legislature's arch-conservatives, sees much the same. Although he would prefer a governor more intent on chopping back government, he doesn't know that voters would go along. "George fits the people at this time," Richardson explains. "If every tax fighter in the world offered some new tax cut in California, I think it would fail. Californians don't want any more government, but they seem very comfortable right now with what they have."

When Deukmejian sought the GOP gubernatorial nomination in 1982, Richardson opposed him, thinking that he would not be conservative enough. "He proved me wrong," Richardson says now. "He's more of a conservative than (President) Reagan. Reagan (as governor) gave you verbiage and gave you tax increases. Deukmejian does not give you a lot of verbiage, but what he says, he does."

Minimize failure (or, Don't blame me, I did my best)

Surprisingly for a governor who seems so strong-willed and determined, Deukmejian's victories in the area of fiscal affairs have not been matched elsewhere. Part of his problem is, of course, that he must work with a Democratically-controlled Legislature. Although he can veto the Legislature's spending proposals, he cannot force the lawmakers to pass a bill that he wants on his desk.

But after his unsuccessful effort to enact a new water plan last year, critics noted not only the opposition of many Democrats but said his effort was naive and poorly planned. Workfare, requiring welfare recipients to work for their government pay, was another big Deukmejian proposal — the centerpiece of his welfare policy — that failed. And last November, Deukmejian supported a reapportionment initiative that voters rejected. "He lost as badly as a political guy can lose," comments pollster Field.

The administration, however, portrays such setbacks as challenges for the future. "The public is not going to mark George Deukmejian down for having tried and not succeeded initially in some areas," says press secretary Larry Thomas. "We'll keep coming back."

And if not in those areas, perhaps somewhere else. But don't look for too much. As ex-aide Russo puts it: "He is Mr. Practical. He does not tilt at windmills or fall on his sword for the purpose of martyrdom."

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BILL HONIG:

EDUCATION'S CHEERLEADER IS LONG ON IDEALS BUT SHORT ON ADMINISTRATIVE ACHIEVEMENT

By DAN WALTERS

During a period in which the California political landscape is populated by colorlessly competent figures, Bill Honig — the state superintendent of public instruction — sticks out. The recklessly inquisitive intelligence, the ability to make emotional contact with audiences and articulate sweeping themes and a media-oriented political career are more than passingly reminiscent of Jerry Brown. Indeed, some of Governor George Deukmejian's political advisers saw Honig, until he disavowed any such ambition, as a potential rival in 1986.

Another Brownian trait is Honig's ability to infuriate members of the protocol-bound Legislature — so much so that Honig's chief lobbyist is *persona non grata* in some legislative offices.

Two years after stunning the state's political and educational establishments by ousting three-term schools chief Wilson Riles, Honig can claim a major share of the credit for enactment of a program designed to produce a sweeping overhaul of the state's public schools. But now Honig bears responsibility, both personal and political, for translating legislation into reality in a way that will restore public confidence in the schools.

That will require, as Honig acknowledges, a non-stop crusade. It will be a test of his widely-admired commitment and sales skills and it will determine whether Honig will be a flash-in-the-pan or carve out a permanent place for himself in the state's political life.

"Actually," Honig said in a recent interview, "we're a little ahead of the schedule I thought we could get done."

Honig is doing what he did to get elected in 1982 and what he did to drum up support for educational reform in the first place: cruising the state, making speeches, selling education to Californians.

William Cunningham, Deukmejian's education adviser and the administration figure who watches Honig the closest, believes that Honig will deserve much of the credit if California's 1100 school districts translate the new legislation and the new money into changes that improve educational performance.

"He has, to his credit, run up and down the state . . . urging them to get on with the job," says Cunningham. "It's come a long way in the last year."

Tall, thin (one Capitol type calls him "the stork") and intense, Honig at 47 is still something of a political puzzle. He's the scion on a well-to-do San Francisco family who was embarked on a waspish law career until he abruptly changed directions and became an elementary school teacher. He's a man who began political life as a liberal Democrat, walking precincts for a young Assembly candidate named Willie Brown, but who later achieved office as an advocate of back-to-basics education, defeating a darling of the liberals — Wilson Riles.

And most important to Democratic legislators, he's a man who suddenly broke ranks with them in a showdown with the Republican governor over school financing and made his own deal with Deukmejian that undercut the Democrats' position.

Mostly, one senses, Bill Honig is a man who is so possessed by the thought of educational improvement that he is willing to ignore political considerations to achieve it. "It's naiveté, in a sense," says one high-ranking legislative staffer who has dealt with Honig regularly. "But Honig really believes in education."

Dan Walters writes a political column for The Sacramento Bee.

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Also, it seems Honig is so obsessed with selling broad-scale educational concepts that he neglects the day-to-day administration of the Department of Education bureaucracy, à la Jerry Brown. Even those who respect him for his commitment and achievements are critical of his administrative skills.

"The department is a —— disaster," says one educational professional. "He's even worse than Wilson Riles."

"He's probably the worst manager I've ever seen," Deukmejian adviser Cunningham says, "because he has no interest in it. Riles got a lot of flak on that (administration) and I don't think it's been improved," Cunningham adds. "It may be worse."

Honig indirectly acknowledges his lack of interest in administrative minutiae. He recently brought in some veteran bureaucrats to get a handle on the situation. "We're just starting," says Honig. "We're really trying to make this a model department."

One administrative problem for Honig is that Deukmejian has made a series of relatively small, but telling, budget cuts on the Department of Education. Some in the Legislature see them as a message from Deukmejian to Honig not to try to upstage the governor on educational improvement. Administration sources indirectly confirm that interpretation.

"When we sat around and tried to figure out who could be a threat to Duke, Honig's name kept popping up," one administration insider confides. "He was out there on the stump and he was attracting attention."

It wasn't until Honig got wind of the political suspicion and passed the word that he would not run against Deukmejian in 1986 that relations improved. (Although Honig was a Democrat, he is now registered as "decline-to-state." His job as superintendent is officially non-partisan.)

"I wanted to make it clear I wasn't interested (in the governorship)," Honig says. "It's not in my plan."

He would seek the governorship "only if we got so stonewalled there was no interest in the schools," Honig says, adding he hasn't detected any such disinterest. "I picked education as a career. This is a perfect place for me."

Some Democrats see such declarations of non-candidacy as an important political mistake. "He's taken away his option to scare them and doesn't get anything for it," says one legislative staffer. "Honig doesn't meet with the governor. They're basically treating him like an agency secretary. That's the level of naiveté."

After abandoning law for teaching in the early 1970s and working in the poverty-ridden Hunters Point area of San Francisco, Honig was named to the State Board of Education in 1975 by then-Governor Jerry Brown. Honig came to the Board as a supporter of Riles, a black educator whose chief interest was in expanding parental influence at the neighborhood school level.

In 1979 Honig became superintendent of a small school district in Marin County. He evolved from a Riles supporter into a Riles critic because, he says, he was seeing the disintegration of the public school system from Proposition 13, neglect from the Brown administration, a failure of liberal programs and a superintendent who appeared to be doing nothing.

Thus, when Honig declared that he would challenge Riles' bid for a fourth term in 1982 he attacked the incumbent for being a defender of the status quo and promised that he would be an "activist" superintendent who would use his position as a "bully pulpit" to demand more attention for the schools.

It was a big field of candidates, and Honig and Riles survived the June primary and went into a bitter and expensive November runoff. Honig spent $2 million, much of it from his own family, and enjoyed support from business executives who shared his back-to-basics approach. Riles depended on his network of political supporters and financial support from teachers' unions.

But if Honig has kept his promise to be an activist superintendent, he has fudged somewhat on another campaign policy regarding school financing.

"More money is the last thing schools would need," Honig said in April 1982. "In fact, if you drop $1 billion in state schools right now it would be money ill-spent."

That and other statements earned him blasts from the state's big teacher union — the California Teachers Association. One CTA salvo accused him of making "the most reactionary attack on teachers, our unions and the funding for desperately needed educational programs since the late Max Rafferty (Riles' very conservative predecessor)."

Given that political background, it was a little disconcerting to conservatives when Honig, shortly after taking office, declared support for Democratic legislators' proposals to raise school financing by more than $1 billion per year and raise the money through new taxes. At that time

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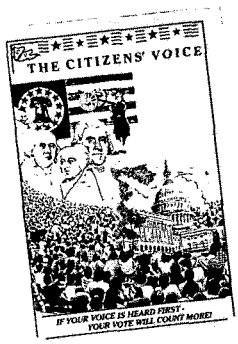

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Deukmejian, pointing to the state's precarious financial position, was offering only a $350 million raise.

Actually, legislative sources say, Honig wanted his own educational reform/financing bill but was pressured by the Democrats into backing their efforts, principally a bill by the chairman of the Senate Education Committee — Santa Barbara Democrat Gary Hart, a former teacher himself.

"It was a good, old-fashioned political deal" between Honig and Hart, said one source. And as his part of the deal, Honig hit the road to drum up support for the package, aimed specifically at key Republican legislators whose votes would be needed.

"The whole strategy was to get these guys some support in their districts for the school/tax bill," Honig recalls. "We ended up with six Republican votes. That demonstrated to people it was a bipartisan effort."

Bad relations

It was during that period, the late winter and spring of 1983, that relations between Honig and the Deukmejian administration hit bottom. Deukmejian's staffers saw Honig as an ally of the Democrats and a potential Deukmejian rival. They thought he was trying to force Deukmejian into agreeing to a tax increase, thus violating the governor's own campaign promises.

And Honig's stumping for educational reform and financing was effective. "He was superb on that," says a Honig-watcher in the Legislature.

Eventually, Deukmejian — indirectly acknowledging the public pressure that Honig had helped create — edged upward from $350 million in new financing for K-12 education during 1983-84. But Democrats still wanted about $1 billion, which might have required a tax increase.

Then a funny thing happened in late June. Joe Holsinger, a one-time Democratic Party official who served as Honig's chief lobbyist, began negotiating in semi-secrecy with Deukmejian administration officials. He says now that he didn't tell Democrats of what he was doing because everything that Honig was working for was at stake and he didn't want outside pressures involved. In any case, he and Deukmejian's people agreed on a $700 million increase. Honig concurred by telephone and almost immediately announced it.

Administration officials were pleased that they had pulled the state's top school official onto their team. "Honig wanted to pull the schools up and the Democrats were doing everything they could to make the administration look bad," a Deukmejian aide says. "We just agreed that $700 million would be an appropriate level."

But Democratic leaders, believing that the governor might have come up with even more, were outraged. "The Senate went crazy," one legislative staffer recalls. "Our guys were ticked off because we thought we had the governor on the run."

When word of the Honig-Deukmejian deal reached the Democrats, they reacted violently. Honig was summoned to Assembly Speaker Willie Brown's office for a tongue-lashing.

And when he emerged, Honig uttered some statements that were interpreted as backing away from the deal with Deukmejian — statements which momentarily angered the governor's staff. The administration hurriedly made the agreement public to lock Honig in.

Democrats, naturally, refused to go along with the deal and eventually reached a $900 million settlement with the administration. However, they did not get the general tax increase they had sought; a package of tax collection speed-ups, loophole closings and other such money raisers became part of the package instead. Although Honig took no part in the final negotiations, his unpolitic maneuver perhaps created the stir needed to cause a settlement. But it also created a problem with Democratic legislators that is still evident.

For months, none of the major Democrats involved would speak to Holsinger. Some of the animosity has faded but Holsinger still is *persona non grata* with Senate Education Chairman Hart, who refuses to talk to him. Also, Assembly Ways and Means Chairman John Vasconcellos is noticeably cool. "I took the heat but we got the results," Holsinger says today.

Two-part program

The bill that was finally approved (SB813) was a two-part measure: one providing new state money for the schools; the other requiring curriculum improvements, new testing programs and other such educational reforms. It was also a two-year measure, with about half the money and reform requirements to take effect in fiscal 1983-84 and the other half in 1984-85.

However, when Deukmejian unveiled his 1984-85 budget in January, 1984, he did not provide all the second-year money that was scheduled by the bill. As a result, Honig once again took to the stump, Democrats pressured and the governor eventually came around.

This year, the governor proposed $13.7 billion for the schools (including an expected $300 million from the new state lottery), up a relatively generous 10 percent from the year before. Honig quickly and publicly endorsed the program, and that — coupled with his declarations of non-interest in running for governor — appears to have cemented his relations with the administration. "It's now behind us," says a Deukmejian aide.

But as the financial battles have settled into the background, there remain questions about SB813's educational reforms. Will they be fully implemented and will they do the job? As Honig, the administration and the Legislature press from above, resistance may be building from below. "We got new standards for English teaching the other day," a Sacramento-area high school English teacher said recently, "and they're great, if only they would work. I'd love to see it happen (but) they just don't understand about kids who only show up a couple of days a week and dealing with 120 kids a day."

More formalized criticism appeared in a lengthy article entitled "The sham of school reform." It was written by Larry Cuban, an associate professor in Stanford University's School of Education, and published in the *San Jose Mercury-News* last May.

"Except for a few Sacramento insiders," Cuban wrote, "few educators and citizens know that SB813 was stapled together out of dreams, pet ideas and campaign pledges of newly-elected officials and lawmakers. Few educator thumbprints blurred the language or ideas in the bill as it wended its way through conference committees and hearings. Educators' attention was fixed (a better word might be "transfixed") by the vision of $800 million to avert a fiscal chaos that many districts felt was imminent."

The lengthy critique of his handiwork drew a quick and equally lengthy response from Honig, which the *Mercury-News* published a week later. Honig defended the concept of setting educational goals and creating mechanisms for measuring achievement — a focus of much of Cuban's criticism. Explaining the major provisions of SB813 point-by-point, Honig said that Cuban's "assumptions about education are very similar to those that precipitated the last decade's educational decline — no standards, no measurement, no common goals and no leadership in a completely decentralized system."

Whether recovery can be accomplished by a non-administrating idealist remains to be seen.

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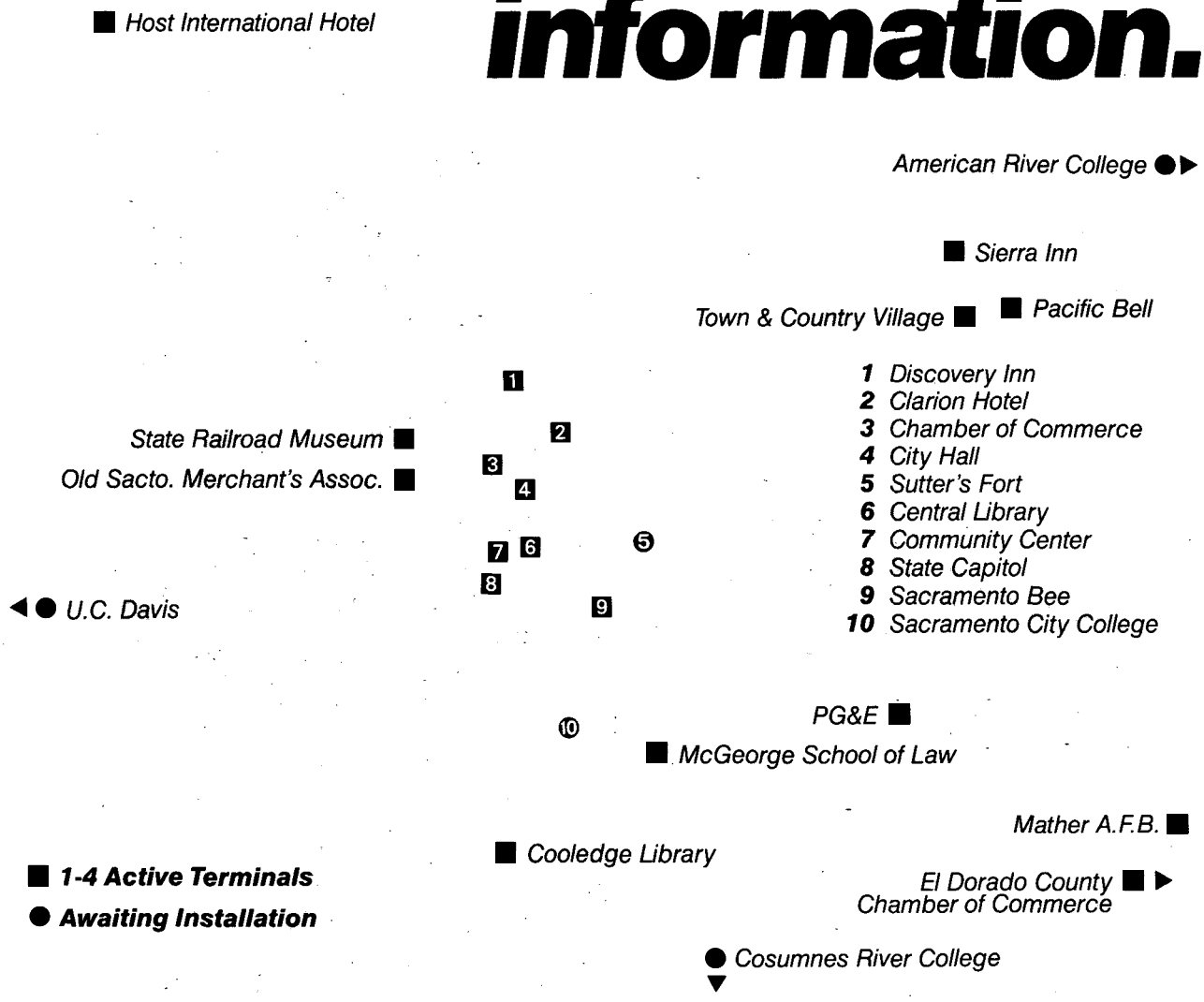

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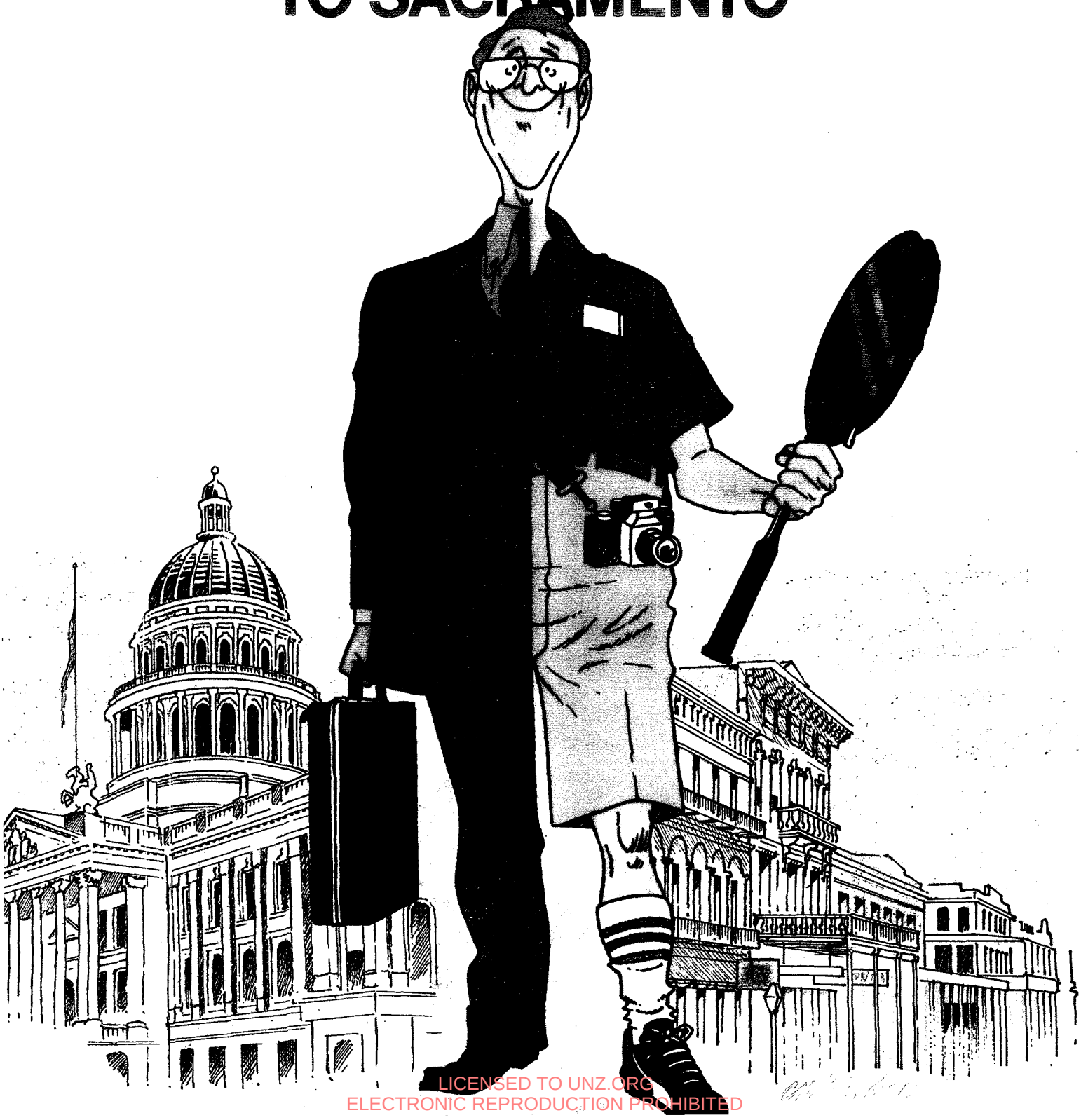

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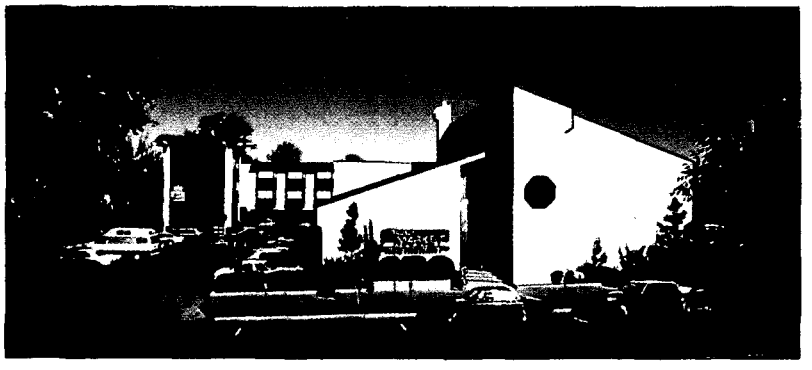

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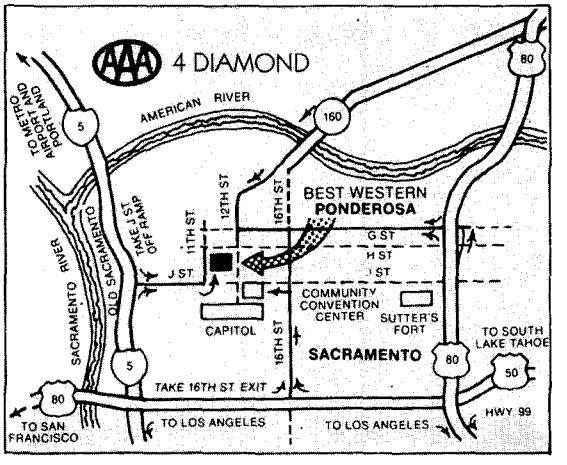

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The California Journal Visitor's Guide

There are two kinds of people who visit the Capitol: the wide-eyed and the steely-eyed. The wide-eyed come to see a truly magnificent building; the steely-eyed come to influence the lawmaking and politicking that take place within it. We, the editors of *California Journal*, believe this booklet may be of interest to either visitor, but we have prepared it especially for those who come here for a little of each.

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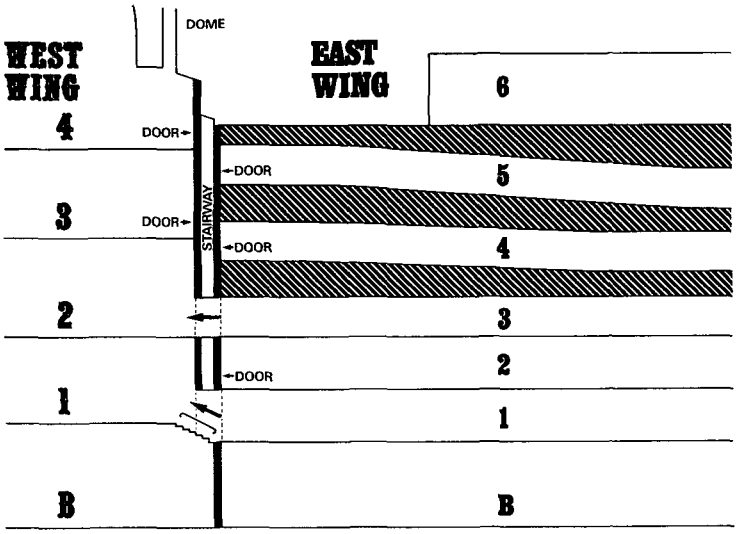
An Introduction to the Capitol

By Robert Fairbanks

In getting around the Capitol, the first thing to know is that it's actually two buildings — the original structure built in the 1860s and beautifully restored in the 1970s, and an East Wing addition completed in 1951. Because the old building (known as the West Wing) has high ceilings and the East Wing has low, the floors don't match. The second floor of the West Wing, for instance, connects to the third floor of the East. Although confusing at first, you get that nice feeling of being an insider once you know your way around (see illustration).



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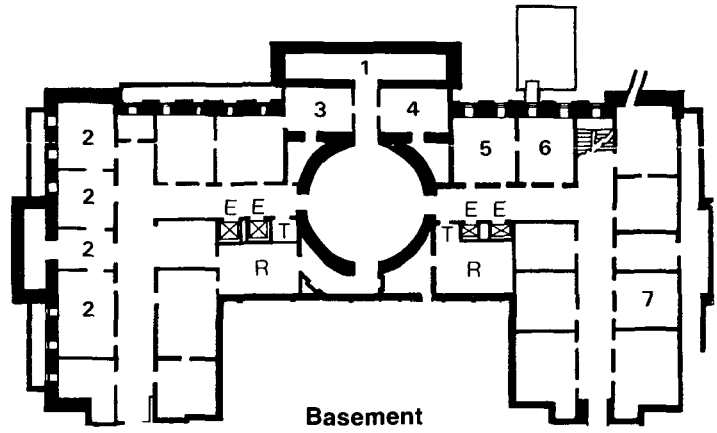
Of the two buildings, the West Wing is more interesting. A magnificent piece of architecture, it houses the Senate and Assembly chambers, the officers of legislative leaders and many of the facilities of most use to political visitors. What follows, then, is a floor-by-floor description of the older building (with illustrations) and a general description of the newer one.

Basement

As a political visitor to the Capitol, you may want to start in the basement of the West Wing. There, you'll find a place to pick up a schedule of legislative activities, a place to eat, a place to lounge and telephones to keep in touch with the folks back home. You can also sign up for tours of the building, see a movie or buy a souvenir.

Legislative schedules for each day, done separately for the Assembly and the Senate, are known as the "Daily File," and are available in the Bill Room. Open 8 a.m. to 5 p.m., the Bill Room, as its name implies, is also the place to pick up a copy of whatever bill may have brought you to the Capitol in the first place. The Bill Room also carries various other legislative publications, such as the *Daily Journal* which reports on legislative actions of the day before. The first copy of all these is free. Since legislative publications are sometimes difficult to interpret, you may want help. And in this — as in other cases of need — you can usually count on assistance from the upstairs office of your senator or Assembly member. That's what they're there for.



Basement

1. Gift shop
2. Restaurant
3. Bill room
4. Communications room
5. Museum theater
6. Museum exhibit room
7. Tour office

E Elevators
R Restrooms
T Pay telephones

The basement cafeteria serves good food, is open daily from 7:30 a.m. to 4 p.m. and, with a seating capacity of 200, often has enough room to serve as a meeting place for you and your friends. Make no mistake, if you plan to do any politicking about the Capitol, you'll want a place to sit for a while and review strategy. (If not the basement cafeteria, there's another cafeteria on the 6th floor of the East Wing or your legislator's office — if he or she will permit it. In good weather, there's Capitol Park. And if all of this seems too informal, you can rent temporary office space in any of several nearby buildings (see directory, page 8).

The telephone room has eight spacious booths and a ninth — with a keyboard and screen attachment — for use by the deaf. Maintained by Pacific Telephone, it also contains telephone directories covering every area of the state. In the rear, off to the right, is a small lounge with several deep, well-cushioned chairs.

As mentioned above, the old Capitol (the West Wing) is a truly magnificent structure, and it would be a shame to spend time in it without taking a close look at the building itself and learning something about its past. In other words, a stop at the basement tour office is in order. There, you can pick up pamphlets and other information about the building and arrange to join a guided tour. The tours are free and are given hourly from 9 a.m. to 4 p.m. weekdays and from 10 a.m. to 4 p.m. weekends. You must sign up within a half hour before each tour. For more information, or to arrange group tours, call 324-0333.

A short distance from the tour office is a small museum containing photographs and exhibits covering the Capitol's history and reconstruction. The restoration began in 1975 and required the labor of some 1500 craftsmen before the building reopened officially in 1982.

Next to the exhibit room is a small movie theater where a 10-minute film about the Capitol begins every 15 minutes. Longer films about the building are shown at 11 a.m. and 2

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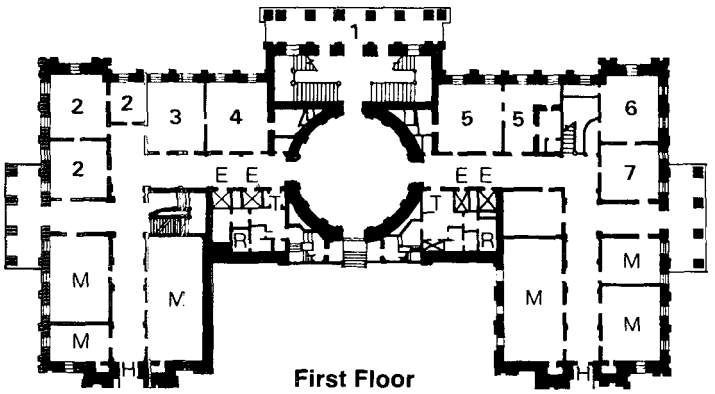
p.m. daily as well. None may win an academy award, but they're interesting nonetheless.

Rounding out the basement attractions is the Capitol gift shop. Open seven days a week, it carries a line of moderately-priced books and souvenirs, including pieces of brick from the Capitol reconstruction. (There are worse paperweights around.) The shop is run for the benefit of developmentally-disabled adults and features many handcrafted items made by them.

First floor

The most impressive view in the Capitol is available only from the first floor. Stand near the center of the rotunda and look upward 120-feet into the interior of the beautifully-decorated dome. The sight alone is worth the $68 million it cost to restore the building.

the nearby piece of statuary, honoring Queen Isabella's gift of jewels to Columbus, has little relation to things California. But it was donated to the state in the last century and Governor George Stoneman decided in 1883 that it would look good where it is now. The statuary was removed during the Capitol restoration, and when the building reopened in 1982, officials in charge of the restoration made a determined effort to prevent its return. It was not a suitable work for the surroundings, they maintained.



First Floor

1. 10th Street Entrance
2. Historic governor's offices
3. Archives exhibit
4. Historic secretary of state office
5. Historic treasurer's office
6. Historic State Library
7. Historic attorney general's office

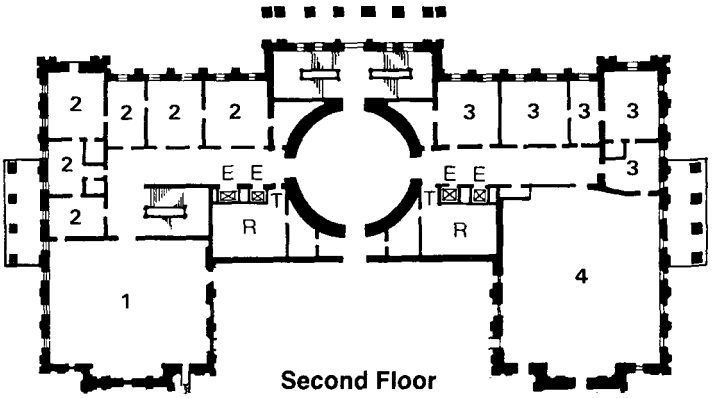
E Elevators
R Restrooms
M Meeting rooms
H Handicap ramp
T Pay telephone

But traditionalists and various Italian-American groups mounted an intensive lobbying effort, and the Legislature finally ordered that Columbus and Isabella be restored. Lest anyone become too optimistic about the power of citizens' lobbies, be it remembered that the top leader in the state Senate then (and now), President pro Tempore David Roberti, was one of those Italian-Americans who wanted Columbus put back.

For the rest, the first floor is largely devoted to showing visitors what various state offices looked like in bygone years. Informative signs explain each exhibit. Part of the Capitol's day-to-day business is also carried on; there are five legislative meeting rooms on the floor.

Second floor

The Senate and Assembly chambers are on the second floor and would be worth seeing even if you had no interest in what goes on there. Huge rooms, with soaring ceilings and splendid decorations, they convey a sense of governmental majesty that the politicians who work there — being human — often do not. Professional lobbyists (those who do enough lobbying to be required to register with the secretary of state) are barred from both the Senate and Assembly floors. But other visitors are permitted, provided they



Second Floor

1. Senate floor
2. Senate president pro tempore
3. Assembly speaker
4. Assembly floor

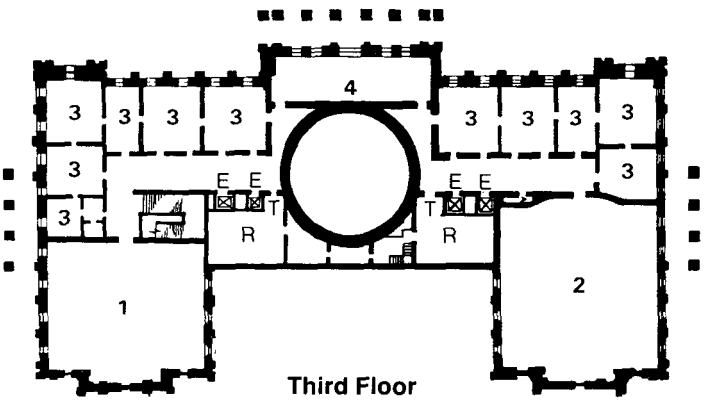
E Elevators
R Restrooms
T Pay telephone

can show a floor pass given by a member of the Legislature. (We're speaking here of the legislative floor, not the galleries above.)

Office suites for the Legislature's two top leaders — the Assembly speaker and the Senate president pro tem — are also on the second floor. The speaker now is Willie Brown, a San Francisco Democrat. President Pro Tem Roberti is a Democrat from the Hollywood area of Los Angeles. Elected by their colleagues, these men have a collection of powers which, generally speaking, allow them to control the flow of legislation through their separate houses.

Third floor

Midway across the third floor, at the head of the two grand staircases coming up from the floor below, hangs the controversial portrait of former Governor Jerry Brown. Bright and vivid in color and expressionistic in style, it differs sharply from the portraits of other former governors that also adorn the Capitol walls. It was so different, in fact, that legislative leaders decided to hang it in this relatively remote spot by itself. Even so, in its staid surroundings it still seems vaguely garish and out of place. Capitol tour guide Michelle Beutell likes the portrait but says she stopped bringing her groups to it because she got tired of defending it from the many visitor complaints.



Third Floor

1. Senate gallery
2. Assembly gallery
3. Offices
4. Jerry Brown's portrait

E Elevator
R Restroom
T Pay telephone

At either end of the third floor are the entrances to the Assembly and Senate galleries. If you cannot get a pass for the house floor (and they are not easy to come by) and you

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want to see how the senators or Assembly members handle your bill, you can usually get a seat in the galleries. When the lawmakers are in session, you'll have to pass through a metal detector, as in an airline terminal. Also, cameras and recording devices are not allowed.

The Senate president pro tem is, as mentioned, elected by all the senators and is traditionally a member of the majority party. However, Democrats and Republicans then separately elect party leaders of their own. And each of them then gets an office on the third floor. The Democratic leader now is Barry Keene of Benicia. The Republican is Jim Nielsen of Woodland. Their counterparts in the Assembly (who don't have offices in the splendid West Wing) are Democrat Mike Roos of Los Angeles and Republican Pat Nolan of Glendale.

Fourth floor

The fourth floor is the site of three hearing rooms and a batch of Senate offices. Not much here for the political visitor unless he or she has a bill to be heard before a committee using one of the rooms.

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East Wing

The Capitol's East Wing is a six-story structure that was completed in 1951 and is mostly given over for the offices of individual legislators and legislative committee hearing rooms. However, the governor's suite of offices is also in this building, on the first floor. Additionally on the first floor are smaller suites for the lieutenant governor, state controller and the director of Finance.

Only a relatively small reception area within the governor's suite is open to the public. Shortly after former Governor Jerry Brown took office in 1975, a variety of protest groups began conducting sleep-ins there, often camping out for several days. Rather than discourage such protests by calling in police, Brown removed the area's soft couches and chairs and replaced them with hard wooden furniture. Since then, the protests have dwindled and Governor George Deukmejian, who succeeded Brown in 1983, is back to soft furniture again.

Also on the first floor is Room 1190 where the governor, legislators and others conduct their news conferences. As a political visitor, think carefully of how you, too, might call a news conference so that the press might help trumpet your cause. The governor's press office schedules usage of Room 1190 and will give time there to any legislator who asks. So, if you have something interesting to say and can cover the $22 fee, ask your legislator to reserve time for you.

Room numbering

Getting around the Capitol, in both East and West Wings, may be a bit easier if you remember that East Wing rooms are numbered with four digits and West Wing rooms with three. Thus, if you look in your copy of the *Daily File* and see that a bill of interest to you is scheduled for a committee hearing in Room 4203, you head for the East Wing, fourth floor. Similarly, if it's Room 126, you go to the West Wing, first floor.

Office numbers for all members of the Legislature are posted opposite the elevator banks on every floor of the East Wing, except the sixth. There, for reasons buried in the ancient past, you'll find a small collection of photographs and memorabilia concerning Californians in the Civil War. If you don't know what your legislator looks like, you can find out because the photographs of all of lawmakers are in the East Wing, along a small stretch of the main corridor on the third floor.

Capitol time

Perhaps the most frustrating part of any lobbying venture, aside from whether you win or lose on your bill, is the Legislature's cavalier attitude toward time. If a committee hearing is scheduled to begin at 1:30 p.m., things rarely get started before 1:45 or 2 o'clock, and — if too few members show up to make a quorum — things may never get started at all.

The trouble is that there's no way to know in advance. If, by accident, a group of legislators begins a committee hearing on schedule and you are not there, something unfortunate may happen to your bill — and it's your fault, not theirs. Similarly, if you are scheduled to meet with a legislator in his or her office, you better be there on time even if he or she is not.

And while you sit there simmering at the selfishness and inconsideration of whatever legislators are involved, remember that a few of them may also be sitting somewhere else, trapped by a citizen lobbyist like yourself who is exceeding his or her alloted time.

So if you're at the Capitol to do some politicking, be brief and concise when dealing with others. And carry a book, a magazine or something else to occupy you at other times. Everyone will appreciate your brevity and patience, and it may even help you get what you want.

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THINGS TO DO; SIGHTS TO SEE

By BOB SYLVA

So here you are in Sacramento with a few hours to spare. What do you do? Well, you could return to your quarters and watch TV or read a book. But you can do that at home, so why not step out and have a look around? It isn't downtown San Francisco or Los Angeles, but it's an attractive place and you might even enjoy one or two of the attractions.

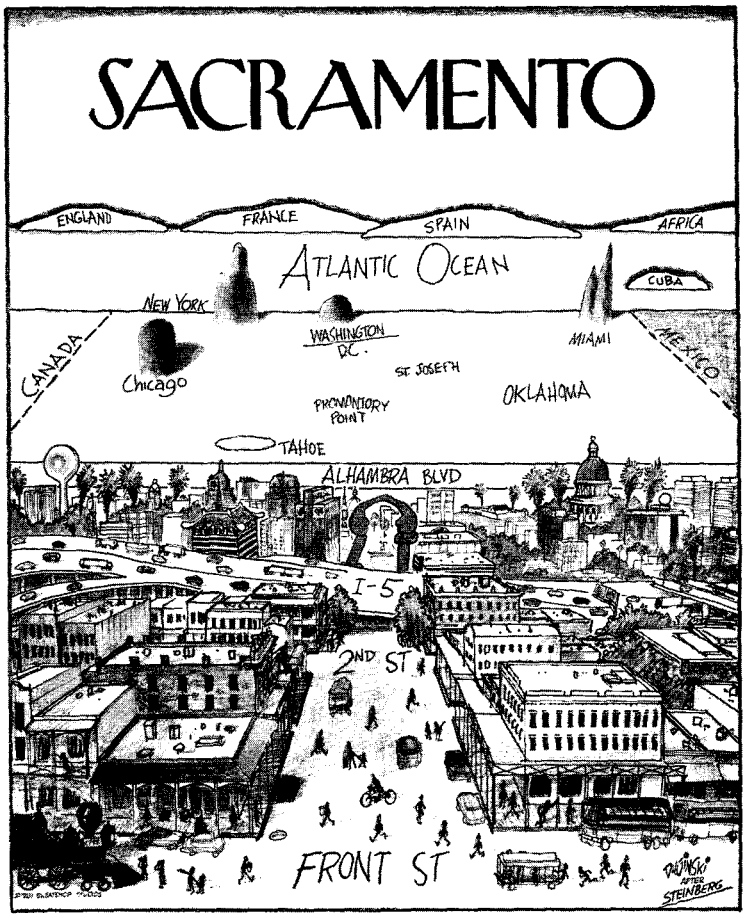
Assuming that you've been to the Capitol, a pleasant addendum is a stroll through **Capitol Park** — five shady blocks of trees, shrubs, gardens, and literally hundreds of inquisitive squirrels. With more than 100 varieties of trees from all over the world, the park is truly the centerpiece of downtown Sacramento. A free brochure outlining a self-led walking tour of the grounds can be picked up at the park office, 1300 L Street.

Following a jog through the park, the visitor may venture in any direction to glimpse the essence of central Sacramento -- a quiet, well-ordered, increasingly urbane district, characterized by stately Victorian houses, small shops and converted offices, a growing residential core and the city's crowning glory — **trees.** Lots of trees. Downtown Sacramento alone has something like 250,000 trees, which rivals leafy cities like Paris and Washington, D.C. The resultant canopy of shade is a godsend during the city's notoriously hot summers.

From the Capitol, one may branch out to see several nearby curiosities. Although it's probably stretching things to mention this one, someone might be intrigued by a look at the apartment building in which former Governor Jerry Brown maintained his bachelor pad. It's at 1400 N Street, top floor. Across the park, at 12th and L streets, is the old **Senator Hotel Building.** Converted now into an office structure, it was once a gathering place for lobbyists and legislators, including the most notorious lobbyist of all — the late Artie Samish. At 11th and K is the **Cathedral of the Blessed Sacrament,** built in 1889 and modeled after L'Eglise de la Trinité in Paris. And then there's the grand **Library and Courts Building** at 9th and Capitol Mall (the Supreme Court convenes there once a year), and the trend-setting **Bateson Building** at 9th and P streets — one of Sacramento's New Age legacies left by Jerry Brown.

Inevitably, the visitor will be drawn west towards the Sacramento River and the city's reigning tourist attraction — **Old Sacramento.** (For the pedestrian traversing K Street, now leveled to accommodate a someday light-rail system, the path leads by a number of distinctive buildings, department stores, a few commendable pieces of public art, and a slightly fantastic tunnel beneath the I-5 freeway.)

Old Sacramento itself is a colorful, three-block restoration project that is reportedly one of the finest of its kind in the country. It mixes cobblestone streets with quaint facades to produce a reasonably authentic Gold Rush-era ambience. For the tourist, the area offers more than 250 shops,



bars, and restaurants, and an opportunity to relive an exciting chapter in California's early history. Public parking is available at both entrances to the project.

Some notable points of interest in Old Sacramento include:

Old Eagle Theater — a replica of the first theater built in the state. Featured daily is a not-to-be-missed primer on the city's history called "Sacramento Illustrated" — a 40-minute, mixed-media presentation that traces the city from its earliest beginnings to present times. Screened hourly. Adults, $2.50. 925 The Embarcadero. 446-6761.

B.F. Hastings building — first site of California's state Supreme Court, which features a period museum on the second floor. Directly across the street is a monument to the fabled Pony Express, a mail service which rode the plains from St. Joseph, Missouri, to Sacramento in 1861.

California State Railroad Museum — Heralded as the finest railroad museum in the country, it contains more than

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20 lovingly-restored locomotives and rolling stock, as well as a wealth of artifacts from the West's glorious rail era. A short documentary is also screened hourly. Open daily. Adults, $2.

* * *

Much of the rest of Sacramento is a rapidly expanding series of suburbs, shopping centers, schools, etc., each with its own characteristics. Almost all of it is only accessible by car or tour bus. One of the better, more insightful looks at the inner and outlying city is provided by **Sacramento Sightseeing Service,** which offers daily passenger pickup at most major hotels. Call 442-7564 for more information.

OTHER SIGHTS

Old Governor's Mansion — Built in 1877 for a prominent Sacramento businessman, this grand Victorian mansion at the corner of 16th and H streets served as the official residence for a long line of state leaders, ending with Governor Ronald Reagan in 1967. Daily tours. Adults, 50-cents.

Sutter's Fort — This reconstructed fort at 28th and L streets was the headquarters for Swiss explorer John Sutter's vast kingdom called New Helvetia. Open daily. Adults, 50 cents.

California State Indian Museum — Adjacent to Sutter's Fort, an interesting collection of early California Indian basketry, tools and crafts. Open daily. Free admission.

E.B. Crocker Art Gallery — The oldest gallery in the West, with an acclaimed collection of regional artists. 3rd and O streets. Open daily. Adults, one dollar.

California Almond Growers Exchange — The largest almond processing plant in the world is situated in Sacramento. Almonds are the state's biggest food export, marketed to 88 foreign countries. The Exchange, owned by a collective of 5000 almond growers, is open to the public with a free tour, a short movie and product samples. 1701 C Street. Call 446-8409 for more information.

American River Parkway — A 23-mile bike and jogging path that stretches from Discovery Park, at the confluence of the American and Sacramento rivers, to Folsom Lake. Call 366-2061 for information on access.

William Land Park — The city's largest park, featuring a small but interesting zoo, 3920 Land Park Drive. Open daily.

LOCAL ATHLETIC FACILITIES

Hotel El Rancho Racquet Resort — Pool, gym, tennis, racquetball. Open to public with hourly fee. 1029 West Capitol Avenue. 371-6731.

Sacramento Handball Racquetball Club — Sauna, Nautilus, aerobics, 11 courts. Open to public on space-available basis. Hourly fee. 725 14th Street, 441-2977.

YMCA — Indoor pool and gym. Fee for non-members. 2021 W Street. 452-5451.

NIGHTTIME ENTERTAINMENT

Tower Theater — First-run film and repertory offerings. 16th & Broadway. 443-1982. (This is the only central city movie house.)

Laughs Unlimited — Popular nightclub with headliner bills. 1124 2nd Street. 446-5905.

Harry's Bar & Grill — Nightly musical entertainment for pop enthusiasts. 4th and L streets. 448-8223.

Melarkey's Place — Range of nightly musical offerings. 1517 Broadway. 448-2797.

On Broadway — Contemporary jazz in pleasant surroundings. 1827 Broadway. 443-8492.

Club Can't Tell — New wave and punk. 1227 K Street. 447-3888.

John Q's — Civilized piano bar overlooking the city. 16th floor, Capitol Plaza Holiday Inn. 300 J Street. 446-0100.

BOOKSTORES

Levinson's — Good selection of recent releases. 1014 10th Street. 442-0733.

B. Dalton — downtown outlet for the national chain, featuring best sellers and special discounts. 511 K Street Mall. 442-7609.

Beers — a Sacramento landmark, with a selection of new books downstairs and an upstairs filled with used books. 1013 14th Street. 442-9475.

Time-Tested Books — An eclectic collection of used books. 1114 21st Street. 447-5696.

A.C.E. Gallery — an enormous selection of used books, covering two floors. 918 9th Street. 443-9754.

Tower Books — Wide selection of books and magazines; open daily until midnight. 16th and Broadway. 444-6688.

Rodney's Cigar Shop — Good selection of out-of-town newspapers. 1000 J Street. 442-5998.

BUSINESS SERVICES

Forum Executive Center — conference rooms and walk-in secretarial services. 1107 9th Street, 444-7272.

Business Connection — typing and word-processing services, rushed orders. 2830 I Street, 446-6740.

Capitol Secretarial Services — typing, copying and notary public. 925 L Street, 444-0349.

Headquarters Company — short-term office rental with secretarial services, conference rooms and telephone answering. 1121 L Street, 446-3609; 1029 J Street, 448-8222.

Capitol Plaza Building — conference and reception rooms, office space. 1025 9th Street, 443-4483.

Park Executive Building — reception halls, meeting rooms. 925 L Street, 444-8060.

MAJOR BANKS

Bank of America — 450 Downtown Plaza, 449-4396.
Bank of California — 850 J Street, 444-8600.
Capitol Bank of Commerce — 300 Capitol Mall, 441-2333.
Central Bank — 1201 J Street, 444-7900.
Crocker Bank — 400 Capitol Mall, 449-0360.
First Commercial Bank — 550 J Street, 447-7700.
First Interstate Bank — 10th and K streets, 449-2238.
Lloyds Bank — 601 J Street, 441-7730.
Mercantile Bank — 455 Capitol Mall, 442-6000.
Merchants National Bank — 1015 7th Street, 442-3883.
Meridian National Bank — 660 J Street, 443-6034.
River City Bank — 825 K Street, 441-4653.
Sacramento Valley Bank — 925 L Street, 441-1250.
Security Pacific Bank — 631 J Street, 440-8009.
Wells Fargo Bank — 1011 10th Street, 440-4578.
WestAmerica Bank — 555 Capitol Mall, 444-3030.

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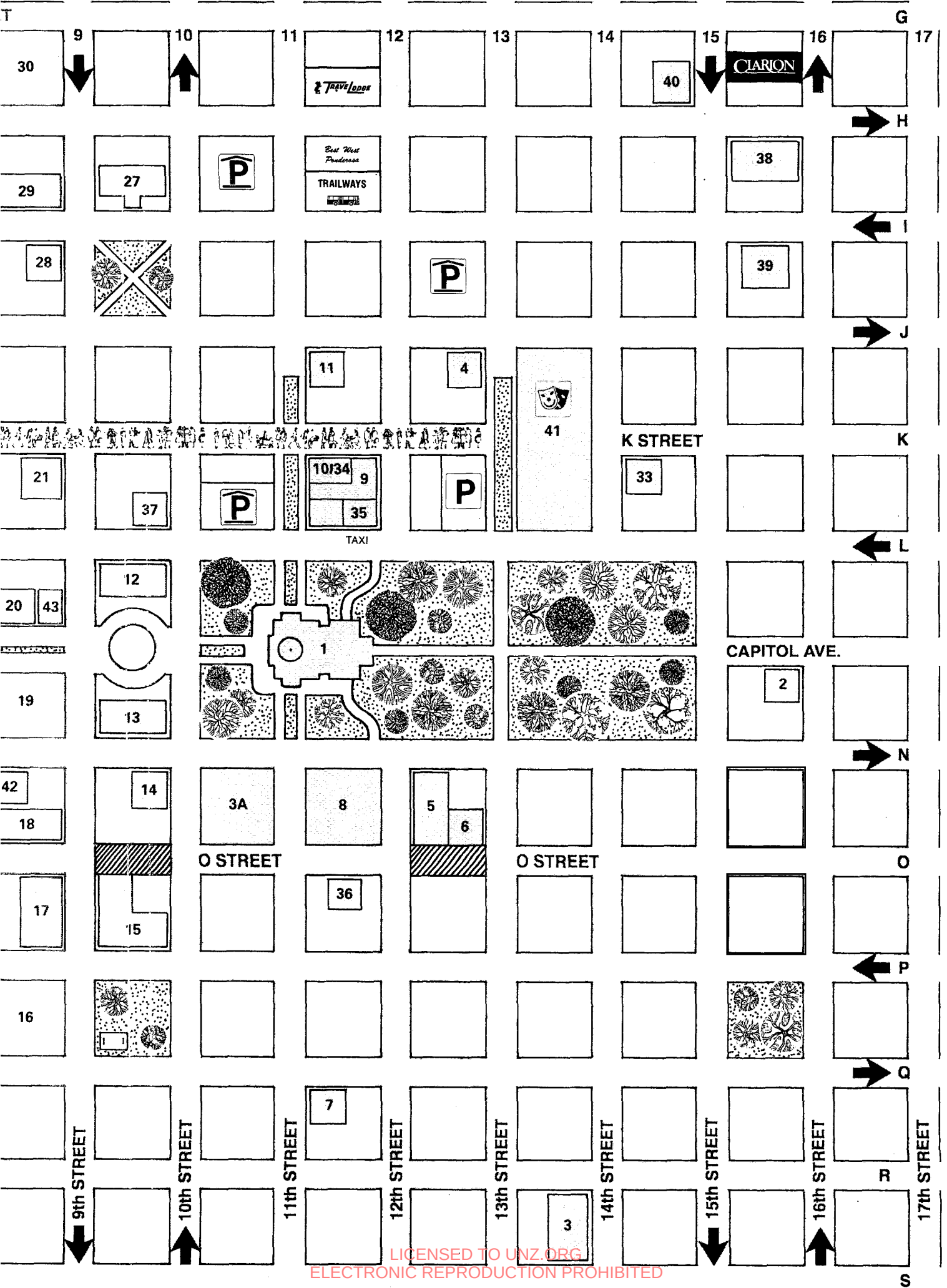

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Getting To and Around Sacramento

Sacramento is conveniently serviced by freeway, bus and rail. Its metropolitan airport reaches all the major national hubs, as well as hosts all the larger intrastate commuter lines. Note: heavy ground fog during months of November through February often cause scheduling problems.

AIR TRAVEL

Sacramento Metropolitan Airport — Located off I-5 freeway 10 miles north of the city. For general information, call 929-5411.
Executive Airport — for private commuter planes. 6151 Freeport Blvd. For general information, call 428-8429.
AirCal — 446-6181
American Airlines — 443-3399
Frontier — 920-2081
Pacific Southwest Airlines (PSA) — 922-8021
Republic — 922-6292
United Airlines — 440-0270
Western Airlines — 446-3464
WestAir — 800-422-7777

AMTRAK

Amtrak connects west to San Francisco, east to Reno and Chicago, and south twice a day to Los Angeles via the coast. The passenger station is located at 4th and I streets. For further information, call (916) 444-9131 or (800) 872-7245.

BUSES

Greyhound Bus Lines — Terminal: 715 L Street. Fare & schedule information: 444-6800.
Trailways Bus System — Terminal: 1129 I Street. Fare & schedule information: 443-2044.
Sacramento Regional Transit — Information: 444-BUSS.

CAR RENTALS

Avis Rent-A-Car — Metro Airport and 1430 K Street. 922-5601.
Budget Rent-A-Car — Metro Airport and 9th and L Streets. 922-7315.
Hertz Rent-A-Car — Metro Airport and 1025 16th Street. 927-3882.
National Car Rental System — Metro Airport and 526 16th Street. 927-3644.
Thrifty Rent-a-Car — Airport pickup. 500 12th Street. 447-2847.
A&A Rent-A-Car — 2211 16th Street. 488-5100.
Econo-Car — 16th and P Streets. 444-7130.
Sears Rent-a-Car — Airport pickup. 830 L Street. 444-8479.

CHARTER/TOUR/ COMMUTER BUSES

All-Cal Tours — 372-1321
Allen Transportation — 444-7880
Ameri-Cal Tours — 966-7906
Capital City Co-op Commuter — 371-8151
Commuter Bus Lines — 371-BUSS

TAXIS/LIMOUSINES

Airporter — Direct shuttle between Metro Airport and Senator Hotel at 12th and L streets. Fare: $3.35 per person. Airporter meets all major flights at airport, and departs Senator for Airport on the half hour and hour. 444-2222.
Taxi Stands — There are two taxi stands downtown — one in front of the Greyhound Bus Depot at 715 L Street and another in front of the Hotel Senator Building at 11th and L Streets.
Capital City Co-op — Offers both in-city service as well as van shuttle to San Francisco International. Shuttle leaves daily from 5th and L streets. Fare: around $15 per person. 448-2667.
Courtesy — 448-8237.
Greyhound Taxi — 443-3961.
Sacramento Metropolitan Transportation — Shuttle to both Metro and San Francisco International. Call for schedule/rates. 455-7777.
Shamrock Taxi — 456-2222.
Yellow Cab — 444-2222.

LIMOUSINE SERVICE

A-action Limousine — 444-9101.
Bungay's Celebrity Limousine — 452-7261.
Presidential Limousine — 920-1123.
Regency Limousine Service — 381-8005.

PARKING

Metro Airport — Long-term parking, $3 for first 24 hours; $2.50 a day thereafter. 929-5411.
Downtown — City of Sacramento operates more than a dozen lots in the downtown area. Best bets for stress-free state Capitol parking include: 13th & J; 11th and I, or 12th and L. Offs-treet parking around the Capitol during the week is generally unavailable. Parking lot rates: 25-cents each hour for the first three hours; 65-cents an hour every hour thereafter.

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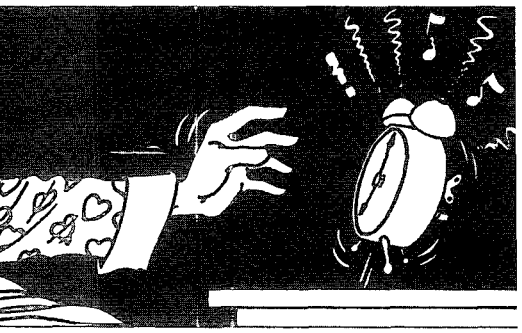


Though Sacramento currently lacks a first-rate hotel, it does boast a number of comfortable and reasonably-priced motels and inns within walking distance of the state Capitol. Also listed here are some of the larger, more popular outlying inns, most of which offer downtown shuttle service. Minimum room rates (double) quoted here are subject to change.

DOWNTOWN

Best Western Ponderosa — Close-in and convenient. 1100 H Street. 441-1314. $59.

Capitol Plaza Holiday Inn — The most comfortable downtown accommodation, with shops and restaurants. Convention facilities. 300 J Street. 446-0100. $72.

Clarion Hotel (formerly Mansion Inn) — Recently refurbished. Bar and coffee shop. Pool. 700 16th Street. 444-8000. $68.

Imperial 400 Motel — Off the freeway, on the periphery of downtown. Pool. Close to shops and restaurants. 1319 30th Street. 454-4400. $37.

Sacramento Downtown TraveLodge — Close-in and convenient. 1111 H Street. 444-8880. $35.

Vagabond — Convenient to Old Sacramento. Coffee shop. 909 3rd Street. 446-1481. $45.

OUTLYING

Beverly Garland Motor Lodge — Off the I-80 freeway. Pool. Restaurant. Shuttle service. 1780 Tribute Road. 929-7900. $63.

Host International Hotel — Located at Sacramento Metropolitan Airport. 6945 Airport Drive. 922-8071. $62.

Hotel El Rancho Resort — Spanish-styled. Pool, tennis, racquetball and gym. Convention facilities. Restaurant and bar. 1029 West Capitol Avenue. 371-6731. $50.

Marina Inn — View of the Sacramento River. Pool. Restaurant. 100 West Capitol Avenue. 371-7700. $36.

Ramada Inn — Near freeway. Pool. Bar and grill. 1900 Canterbury Road. 927-3492. $44.

Red Lion Motor Inn — The largest of convention/banquet hotels. Complete range of services. 2001 Point West Way. 929-8855. $72.

Sacramento Inn — An offshoot of the Red Lion with full services. 1401 Arden Way. 922-8041. $59.

Woodlake Inn — Another sprawling convention complex. Full services. 500 Leisure Lane. 922-6251. $44.

An increasingly popular alternative to the motel is the bed-and-breakfast inn, and Sacramento has a number of such charming establishments in the old downtown area. Rates average around $40 a night.

Amber House — 1315 22nd Street. 444-8085.

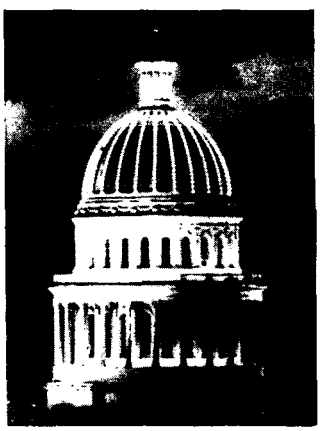
Aunt Abigail's — 2120 G Street. 441-5007.

Bear Flag Inn — 2814 I Street. 448-5417.

Briggs House — 2209 Capitol Avenue. 441-3214.

Morning Glory — 700 22nd Street. 444-2855.

Advertisement



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Guide to Eating and Drinking

Downtown Sacramento offers a diversity of dining possibilities. The suggestions listed here feature fare that's relatively inexpensive if not occasionally distinctive. Better yet, for the hungry out-of-town visitor, they're all within walking distance, or a short cab ride, of the state Capitol. Additional listings note a few of the more popular, higher-ambience restaurants outside the immediate downtown area. Reservations are recommended for Friday or Saturday nights. Also included here are some quick-food tidbits as well as a roster of some of the legislative haunts.

GENERAL DINING

Americo's — Northern Italian cuisine with homemade pastas a specialty. Beer and wine. Moderate. 2000 Capitol Avenue. 442-8119.

Alhambra Fuel and Transportation — Range of lunch/dinner offerings in a bistro atmosphere with late-night dining. Popular with the Yuppie set. Moderate. 1310 Alhambra Boulevard. 452-4624.

Celestin's — French-Caribbean specialties like shrimp creole and snapper calypso in a pastel setting. Moderate. 2516 J Street. 444-2423.

China Camp — American food with an oriental twist. Lunch and dinner served amid a rustic decor. Owned by the Fat family. Moderate. 1015 Front Street (Old Sacramento). 441-7966.

China Moon Cafe — Plain-spoken Cantonese fare, located in the heart of Sacramento's Chinese cultural center. Inexpensive. 425 J Street. 442-7711.

El Charro — An inelegant but reasonably authentic Mexican cafe with friendly service and a good selection of Mexican beer. Inexpensive. 2019 Q Street. 446-7276.

Fat City Bar & Grill — Tiffany lamps, polished brass, old oak tables and tourists. Another distillery owned by the city's Fat family. Daily specials. Moderate. 1001 Front Street. 446-6768.

Firehouse — Long considered one of Sacramento's more elegant restaurants, with Victorian Gold Rush decor that's sumptuous and a chatty outdoor courtyard that's pleasant in the summer and fall. Continental-inspired fare. Expensive. 1112 Second Street, Old Sacramento. 442-4772.

Fish Emporium — Set in an old trolley car. Serves a variety of fresh seafood for lunch and dinner. Moderate to expensive. Does not accept reservations, thus can be crowded during lunch and early evening. 3800 J Street. 452-4611.

Fuji Sukiyaki — A venerable and recently renovated Japanese restaurant with traditional setting and typical cuisine. Sushi bar. Moderate. 2422 13th Street. 446-4135.

Fox & Goose — A spacious warehouse converted to a cheery English pub with draught ales and lagers, plus pasties and burnt cream desserts. A popular breakfast spot with the capital crowd. Moderate. 1001 R Street. 443-8825.

Harlow's — A moody midtown bar and restaurant with inventive veal dishes and nicely prepared pastas. 2712 J Street. 441-4693.

Joan Leineke's — An intimate cafe with gourmet specialties like patés, warm salads and thoughtful pastas. 800 Alhambra Boulevard. 448-2761.

John Q's — This elegant, expensive, and critically noted restaurant alone offers a lofty view of the state Capitol. Located atop the Capitol Plaza Holiday Inn. Nightly entertainment. 300 J Street. 446-0100.

Jon Pierpoint Daley — An early-American style cafe that serves standard cuisine. Moderate. 926 2nd Street (Old Sacramento). 446-7736.

Kagetsu — Moderately priced Japanese food, including specialties of sesame chicken and tempura. Open for lunch and dinner. 1628 Broadway. 446-0984.

Mandarin — A warm if rushed experience in local Szechuan and Hunan cooking. Inexpensive. 1827 Broadway. 443-5052.

Melarkey's Place — Breakfast, lunch, a popular bar with nightly entertainment. 1517 Broadway. 448-2797.

Metro Bar & Grill — A pretty subterranean cafe with daily lunch specials and some enticing after work hors d'oeuvres. 1225 K Street. 447-3837.

Nicole's — Solid breakfasts, ample sandwiches and omelets, with artful nouvelle cuisine dishes at night. 2815 J Street. 441-7815.

Paragary's — Gourmet pizza and weekly Italian specials all prepared in a candid and classy atmosphere. Moderate. 28th and N streets. 457-5737.

Pennisi's Cafe — A breakfast, lunch and early dinner spot two blocks from the Capitol. Serves from an eclectic menu that ranges from moussaka to fettucini Alfredo. Moderate. Reservations suggested, especially for lunch. 1030 J Street. 446-6988.

Posey's Cottage — A dining mainstay in the shadow of the Capitol, featuring prime rib and medium-rare gossip. 1100 O Street. 444-6300.

The Rusty Duck — Overlooks the American River north of the city. Serves standard fare — including, of course, crispy duck. Moderate. Open for lunch and dinner, although can be crowded at the noon hour. 500 Bercut Drive (Richards Boulevard off I-5). 441-1191.

Shanley's Bar & Grill — Irish-pub styled, steak sandwiches for lunch, with chili served until midnight. Inexpensive. 427 Broadway. 442-4044.

Spaghetti Factory — Mass-produced spaghetti in former railroad passenger terminal. Usually crowded. Inexpensive. 1910 J Street. 443-2862.

Sturgeon II — Daily fresh fish offerings, a credible mushroom burger, tasty deep-fried calamari. Popular with the younger legislative staff. 1704 Broadway. 441-4650.

FINE DINING

Inland Fishmarket — Fresh fish prepared à la California cuisine style. Elegant atmosphere. Expensive. 2362 Fair Oaks Boulevard. 486-3763.

Moveable Feast — Traditional French decor with choice selection of light meals and fish specials. Moderate. 601 Munroe Street. 971-1677.

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Mum's — Gourmet vegetarian fare, featuring soups, salads and weekly specials, in intimate atmosphere. Moderate. 2968 Freeport Boulevard. 444-3015.

Toulouse Lautrec's — The city's crowning achievement in haute cuisine. Daily specials for lunch and dinner. Expensive. 2711 Fulton Avenue. 973-0403.

Wulff's — A French country inn atmosphere with traditional French dishes. Expensive. 2333 Fair Oaks Boulevard. 922-8575.

QUICK BITES

Bagful of Bagels — Good selection of crisp bagels to go. 1607 10th Street. 446-6010.

Baker Boy — Coffee and donuts across from the Capitol. 1122 11th Street. 446-0247.

Chart Room — Breakfast or lunch atop a river barge with an eclectic crowd. County Road 136, Broderick. 371-0471.

Dannie's Barbecue — The best ribs in town. Takeouts. 4160 Stockton Boulevard 736-3333.

deVille's Desserts — Espresso, sweets, an artful milieu. 2416 16th Street. 443-0656.

Good Gracious — Sandwich-and-soup shop with a Greek accent. Limited seating, although outdoor tables available during good weather. 1307 18th Street. 442-6661.

Jim-Denney's — A 10-seat lunch counter that's legend for its burgers. 816 12th Street. 443-9655.

La Boulangerie — A fresh assortment of flaky croissants and French-roast coffee. 1400 J Street. 448-5233. 519 L Street. 444-9500.

Mansion Cellars — A convenient spot for a banquet; a quick stop for an interesting wine purchase. 1117 11th Street. 443-3518.

Pennisi's Deli — Good for cold cuts and hors d'oeuvres trays. 1216 J Street. 448-5610.

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Eilish's — Reputedly, a Republican watering hole. 1117 8th Street. 441-1221.

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Note: the state Capitol has two cafeterias which offer breakfast and lunch.

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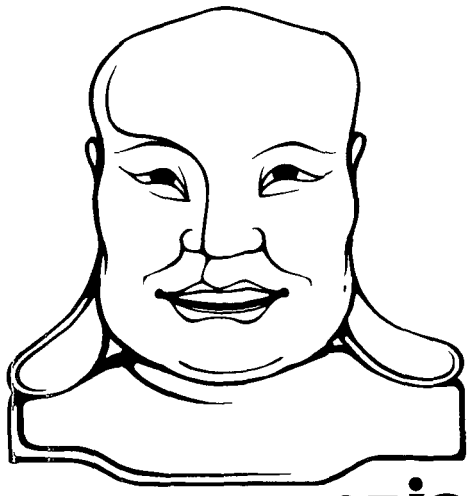

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COLLINS' MIX

B.T.'s hints for dealing with lawmakers and for enjoying Sacramento's nightlife

By BOB SYLVA

If the state Capitol and its immediate environs were a small city, its mayor would be B.T. Collins. Known as a plain speaker, a quick wit and a friend of bartenders everywhere, he is surely the best-known and best-liked man in town. He started in state government as a mid-level official in the administration of former Governor Jerry Brown and eventually became the governor's chief of staff. Now a vice president with the brokerage firm of Kidder Peabody, he continues as a host at many political gatherings and as a late-night fixture downtown. Here, he shares some insights on work and play in and around the Capitol.

CJ: Some general caveats on getting around town — cabs, parking, hotels, the airport?

BT: Cabs are very expensive, just like in Los Angeles. So there is no reason not to take the jitney from the airport to downtown. If you are coming in from San Francisco, you should certainly consider taking the bus (from the city). It's a very nice ride, and you don't have to return your car, although the car rentals in Sacramento are very fair and efficient.

As far as accommodations are concerned, during peak legislative times you should always call for reservations in advance. The same with the airport. Since the majority of flights don't originate in Sacramento, it's wise to call the ticket counter to make sure the flight is arriving or departing on time.

Whether you walk or drive, the one-way streets in downtown Sacramento can be very unnerving. But it's all very simple: nothing but letters and numbers. However, it's not a good idea to walk down the K Street Mall at night alone. Nor should one enter a public parking lot at night alone.

CJ: What precepts should one keep in mind in dealing effectively with the Capitol bureaucracy?

BT: A *little courtesy goes a long ways. You should also* realize that the most important people in the Capitol are the receptionists. They, and only they, decide who gets in to see the senator. The elevator operators are also very helpful. Try to understand that in a majority of cases it is far more important to see a member of the legislative staff than *it is the legislator. The staff persons are far more influential,* because it is they who ultimately research the issues.

CJ: Any special protocol in dealing with legislators?

BT: Don't waste the member's time. Try to imagine being in his place. Though legislators work at taxpayers' expense, they have to put up with a whole lot of taxpayer abuse. Be polite. That's what gets you ahead.

Don't show up without an appointment. Don't loiter around the offices. Use the pay phones. And try to understand that for a legislator to accomplish his mission, he has to engage in compromise and dialogue with his fellows. Ergo, they have to attend committee meetings and conferences. Don't be upset if they are late.

Regardless of the point you are trying to make, you should do as much research on your legislator — his stands and your stands — prior to meeting with him. If you do get in, remember he is captive behind his desk. So if you want to make points, you should spend no more than three to five minutes with the legislator. Don't make him have to look at his watch, or have his secretary buzz him. Make your point, leave a short statement, get up and leave.

Hand-written letters are far more impressive than petitions regardless of how many signatures they may have. And hand-written thank-you notes go a long way, too.

CJ: How receptive are members to meeting socially with the public?

BT: Generally organizations like to come up and host receptions for legislators. That's fine. But try and remember that their calendars are incredible — worse (tightly scheduled) than the guys in Washington, D.C. Regardless if you are a contributor or a constituent, remember that the member you're trying to see has events to go to every night of the week. Social meetings should be left to receptions back in the district.

CJ: What's the propriety of approaching a member in a public gathering spot?

BT: That's fine. But don't hog all their time. Say hello and leave. Nobody likes to be apprehended after work to

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talk business.

CJ: Why are places like Frank Fat's and the Torch Club popular watering holes with the capital crowd?

BT: A lot of it is tradition. Frank Fat's is an institution. It's a testament to what you can do in California. Here's a guy (Frank Fat) who 45 years ago was making 33-cents an hour. Now he just spent something like a million and a half remodeling his restaurant. The best thing about Fat's is that there is a lot of history there. Plus some living legends hang out there. Guys like Jesse Unruh.

CJ: And the Torch Club?

BT: People should visit the Torch because of its ambience. (laughter)

CJ: What other places in town are worth checking out?

BT: There are lots of places. The Sturgeon II on Broadway is a good place to meet legislative staffers, both Democratic and Republican. It has good, cheap food. Eilish's on 8th Street, and Tofanelli's on L Street are popular with Republicans. The Broiler on J Street is a good place to take a legislator and not be bothered. And another good place to meet legislators is Alhambra Fuel & Transportation. Plus you can get a meal there up until 1 a.m. The only other place that offers that is Fat's. The best place to meet somebody right after work is Brannan's.

And if you want to meet state bureaucrats, go to Posey's. All the career civil servants — the supply sergeants who run the world — eat there. Guys from CalTrans, Finance, Veteran Affairs, Food and Ag. It was a very popular place during the Reagan administration.

CJ: What about Old Sacramento?

BT: I Don't go there too often. But there are a lot of nice restaurants down there with a good variety of food. A good day is to take an early tour of the railroad museum, and have lunch at one of the restaurants that feature an outdoor courtyard. That's nice.

CJ: Any noticeable differences between the Brown and Deukmejian administrtions when it comes to having fun?

BT: The Republicans don't party as much as the Democrats. That's how I ended up working for a Democrat. (Collins is a Republican.) Since the Brownies always worked so late, the bar scene didn't start until 9 or 10 p.m. But the Brownies would never let a lobbyist buy them a drink. That is, not until this Brownie came on the scene. Lobbyists taught me everything I know about how this system works.

In contrast, the Republicans are very orderly. They don't have any B.T. Collins. But the governor has been to Frank Fat's. However, now that he has his family up here, he goes home every night for dinner.

CJ: What are some other sights worth seeing in Sacramento?

BT: Absolutely the Capitol. Sutter's Fort. The Railroad Museum — especially if you have children along. And, in the springtime, there's nothing better than to buy a hotdog at one of the corner stands, and just sit in Capitol Park. It has species of every tree that grows in California.

And if you have time, take a drive up the Sacramento River to the Virgin Sturgeon restaurant. Have lunch there and look at the river. It's beautiful.

But the state Capitol is the main attraction. I have never heard anyone ever complain about the money it took to restore it. Ask your legislator to secure a tour of the building well in advance. The tour guides do an absolutely fantastic job. Be sure to bring your camera. Take a picture of the building from the Capitol Mall. And another one inside the rotunda. You'll be sorry if you don't.

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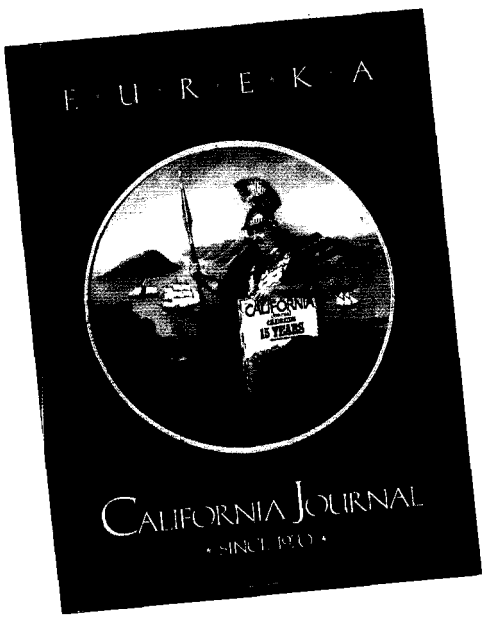

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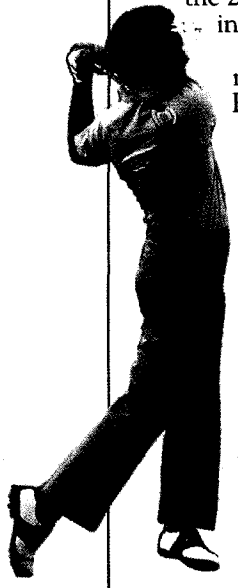

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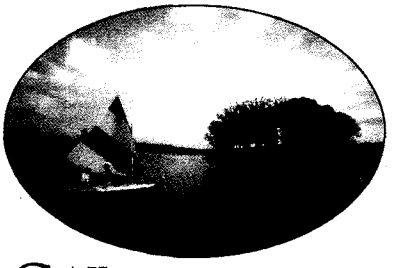

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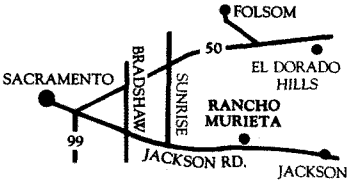

From Sacramento, motor east on Highway 50, turn south on Bradshaw Road, then east (left) on Jackson Road/Highway 16 to Rancho Murieta.

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THE COUNTRY OF RANCHO MURIETA.

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Cesar Chavez goes high-tech

By STEVE WIEGAND

Faced with a frostier political climate in the Capitol, Cesar Chavez and his unionized farmworkers are dusting off an old weapon — the boycott — and giving it a new high-tech look. The targeted crop is table grapes. And the goal is to wring concessions from Governor George Deukmejian and his grower allies in the enforcement of California's farm-labor law.

"The best way to ding Deukmejian, to put pressure on him, is through a boycott here and in other states," says Chavez, founder and president of the 23-year-old United Farm Workers, AFL-CIO. "If the growers feel the pressure, then Deukmejian feels the pressure. They don't believe it (the UFW's power) until they see it in the balance sheets. When they see it there, they have to deal with us."

The newest boycott isn't actually so new; Chavez formally announced it last July. But the announcement was buried in the state's news media by accounts of the Summer Olympics, the Democratic National Convention and the baseball All-Star Game.

Since then, Chavez has been travelling about the nation, appearing on talk shows, speaking to college students and otherwise doing what he can as a prominent person to promote the boycott. And there has been some success. For instance, the boycott has been endorsed by the Boston City Council.

But it's doubtful that a city council resolution or even some time on the Phil Donohue Show (which Chavez received) will do much to dent the sale of table grapes. Clearly, something more is needed and that's where the high-tech facet appears.

In contrast to the picketing-and-passing-out-pamphlets strategy that the UFW used in its earlier boycotts, the new effort will be based on computer analyses of demographic statistics. From its headquarters near Keene, a sunbaked hamlet about 30 miles east of Bakersfield in the Tehachapi Mountains, the union is preparing a sophisticated direct-mail campaign to rally support for the boycott.

Using computers and a mountain of census data, UFW officials plan to pinpoint members of traditionally liberal groups — blue-collar union members, ethnic and racial minorities, young, college-educated professionals — who would be expected to be the most sympathetic to a boycott. Once the list is compiled, the union, using its own modern printing plant, can saturate the sympathizers with mailed brochures designed to convince them to stop buying grapes. Chavez says the union is also using its computers to track down and recruit many of the people who worked in its earlier boycotts, the ones back in the days of arm-

Steve Wiegand is a Capitol reporter for the San Francisco Chronicle.

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bands and catchy chants.

"Many of those young students and others who helped us then are now in positions of power in their communities, such as elected officials or religious leaders, and give us access to a lot of new people that they have access to," he says. "We spent five years in the first boycotts. We made a lot of friends, and they are still out there."

Pinpoint accuracy

Although the direct-mail campaign — which is scheduled to begin shortly — is national in scope, it can be pinpointed to affect only grocery chains in certain areas or even certain stores within a chain. If, for instance, Chavez wished to fire a warning shot at the Safeway chain, he could choose a particular Safeway store, have his computers analyze census-tract information within a two or three-mile radius of that store and then send boycott letters only to likely supporters within that area.

"It may be the most sophisticated effort of its kind in the history of the modern labor movement," marvels a legislative adviser with ties to agriculture.

The architect of the UFW effort is Richie Ross, a 34-year-old top political lieutenant to Assembly Speaker Willie Brown and other state Democrats. Ross — himself a former short-handled-hoe worker on farms near Salinas — provided his expertise free. "Richie has shown us how to apply modern political methods to the boycott," says Chavez. "We can send the letters to people we are pretty sure are going to be responsive. It's economical and it's efficient."

Chavez and other UFW officials say they want to convince the public that Deukmejian has been undercutting California's landmark Agricultural Labor Relations Act. The act, a 1975 statute, ended years of boycotts, unauthorized strikes and some violence between growers and the Chavez union by creating a formal bargaining mechanism for them with the Agricultural Labor Relations Board at its head.

Prodded by then-Governor Jerry Brown and a handful of legislative Democrats, farm interests grudgingly agreed to the act, which also gave farmworkers free choice in union representation and protections from intimidation or reprisals from growers, unions or other groups.

According to Chavez, Deukmejian has been using his budgetary powers and other devices to cow the five-member board, which is still dominated by appointees of former Governor Brown. The farm leader was also incensed by Deukmejian's appointment of former Republican Assemblyman David Stirling as general counsel to the ALRB (see following story.) Stirling, says Chavez, is a "grower's lackey."

For his part, Deukmejian — who received substantial financial support from growers in his 1982 gubernatorial campaign — has contended that the ALRB was pro-union under the administration of his predecessor — Brown. "We're finally putting some fairness into the ALRB, and Cesar Chavez can't stand it," Deukmejian told a farmers' group in February. "He is so confused he doesn't know what he wants."

Other factors

Aside from the animosity between Deukmejian and Chavez, observers point to other factors for the UFW's conducting a boycott now: the union's declining membership; the re-entry by the Teamsters Union into the farm-labor field after a seven-year absence; and UFW fears that Democratic legislative support may wane if lawmakers perceive a lack of public interest in the union.

Why is Chavez picking on grapes? Because, he says, table-grape growers are the most recalcitrant agricultural group when it comes to labor negotiations and abiding by the Agricultural Labor Relations Act. Grape growers say the charge, and the boycott, is unfair, and that the boycott is aimed at them because most of the nation's supply of table grapes is grown in California, making their group an easier target for the California-based union.

There is also talk about fighting fire with fire by having a growers' coalition develop its own computer mail system to counter the UFW's efforts.

"It's something that we are certainly thinking about," says Mike Durando, president of the Grape and Tree Fruit League. "We are aware of the high-tech type of approach the UFW might take. It's a whole new ballgame than in years past . . . I don't know of anyone who is running out to buy computers yet, but it's worth thinking about."

Not all growers are as convinced that the boycott poses a threat. "There is no boycott, there is no issue," says Bruce Obbink, president of the Table Grape Commission. "That SOB (Chavez) hasn't done a thing yet, but the press is going to write it up and blow it out of proportion and make the public think there is a boycott. You (the press) are doing Chavez' work for him."

First muscle

Chavez candidly admits that he is counting on growers to react loudly to the boycott. "They are playing it pretty cool right now," he says, "but soon they will have to start fighting back, and that creates controversy, and that is an element we need."

In any case, whatever the outcome of this current campaign, with all its high-tech ingredients, the union will be on familiar ground. For while the 55-year-old Chavez is indisputably the heart of the union, the boycott could well be described as its right arm.

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That arm was first flexed on a nationwide basis in 1970 when the union called a lettuce boycott as a means of bringing pressure on growers after court injunctions ended UFW strikes in the Salinas Valley. In 1973 the boycott was extended to table grapes and Gallo Wine after UFW contracts expired and some growers signed contracts with the rival Teamsters Union.

The boycotts rallied hundreds of urbanites whose closest personal contact with farmworkers previously may have been from a car speeding down a highway through the San Joaquin Valley. The sight of farmworkers, students, priests and housewives marching down rural roads or handing out leaflets in supermarket parking lots caught in public's imagination and caused millions to stop buying lettuce and grapes.

At the height of the boycotts, a Louis Harris poll found that 17 million people had stopped buying grapes, 14 million had given up non-union lettuce and 11 million swore off Gallo wine. And by 1975 the boycotts resulted in the union's biggest harvest — legislative approval of the aforementioned Agricultural Labor Relations Act.

The act was hailed by Chavez and his supporters. Although the national boycotts were not formally called off until 1978, they were not pursued with any fervor after passage of the act. But the union never stopped its regional boycotts, aimed at particular growers or supermarket chains. In 1979 a boycott was called against Lucky supermarkets for carrying non-union lettuce from Bruce Church, Inc.

Last year, faced with some of the high-tech techniques that the union is set to use this time, as well as a court finding that Church had refused to bargain with farmworkers in good faith, Lucky stores and McDonald's fast-food emporiums stopped carrying the lettuce.

"Those were different kinds of strikes," explains Chavez, "because they were aimed at particular stores or growers. We are not targeting individual growers or stores, at least at this point. We're simply telling people not to eat grapes, period."

Political contributions

The evolution of the boycott process into a sophisticated system has also been mirrored by the way the UFW invests its political finances. Between 1980 and 1983 the union gave almost $1 million in direct contributions to Democratic legislative candidates and provided hundreds of volunteer campaign workers.

The contributions paid off. Democratic legislators have managed to reject efforts to conform the ALRA to the National Labor Relations Act, which would not be as favorable to farmworkers as the state law. But last year the UFW contributions took a new form. Instead of giving money directly to politicians, the union used its printing plant to produce its own brochures on behalf of candidates and against Republican-backed ballot propositions, such as Deukmejian's reapportionment initiative.

Chavez said the shift does not mean the union is unhappy with its legislative friends, but reflects the UFW "spending its money in the best way, so we keep control of it."

"We're not unhappy with the Legislature, we're in pretty good shape there," he says. "It's the governor we have trouble with."

Even if their computerized efforts go well, UFW officials admit that it might take as long as five years for the effects of the boycott to take effect.

"A boycott isn't like an election. We don't need to get 51 percent; the polls don't close at 8 o'clock," says Chavez. "We can wait."

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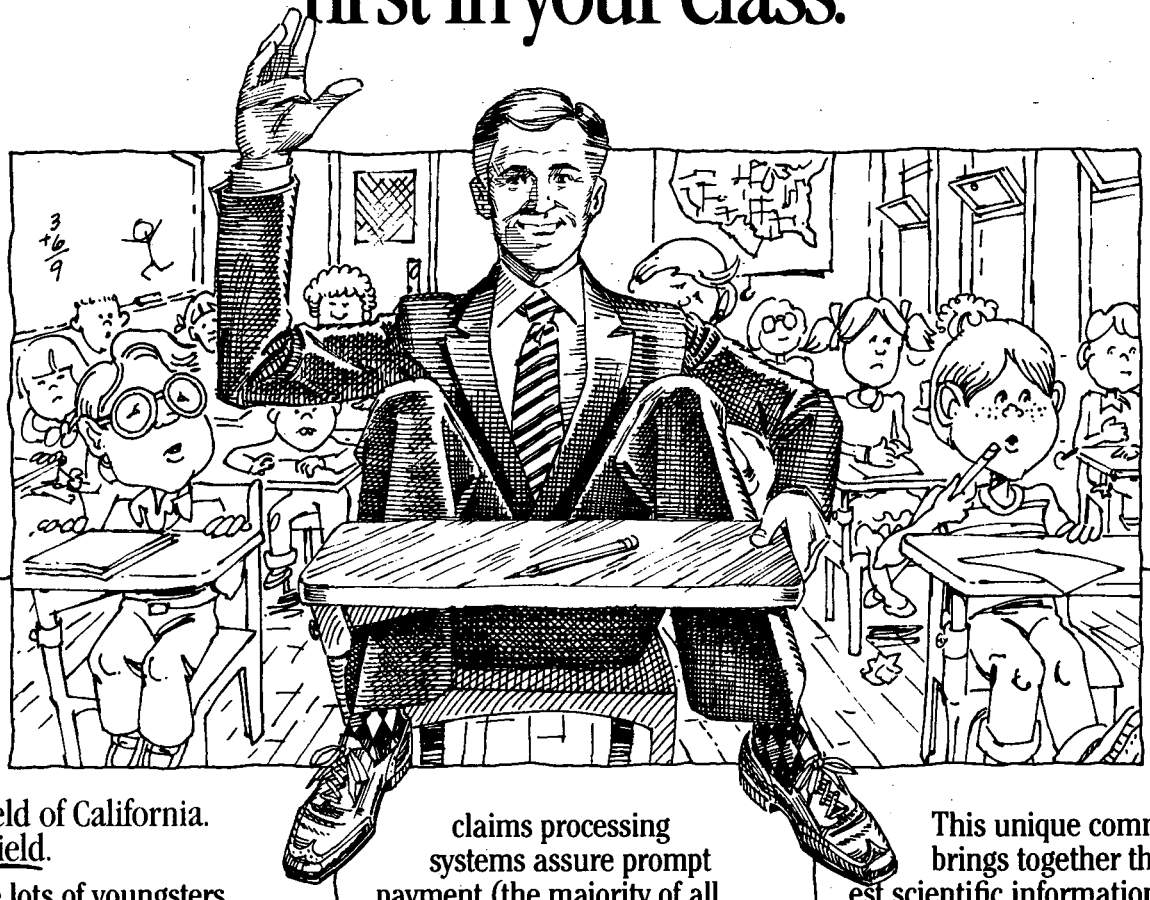

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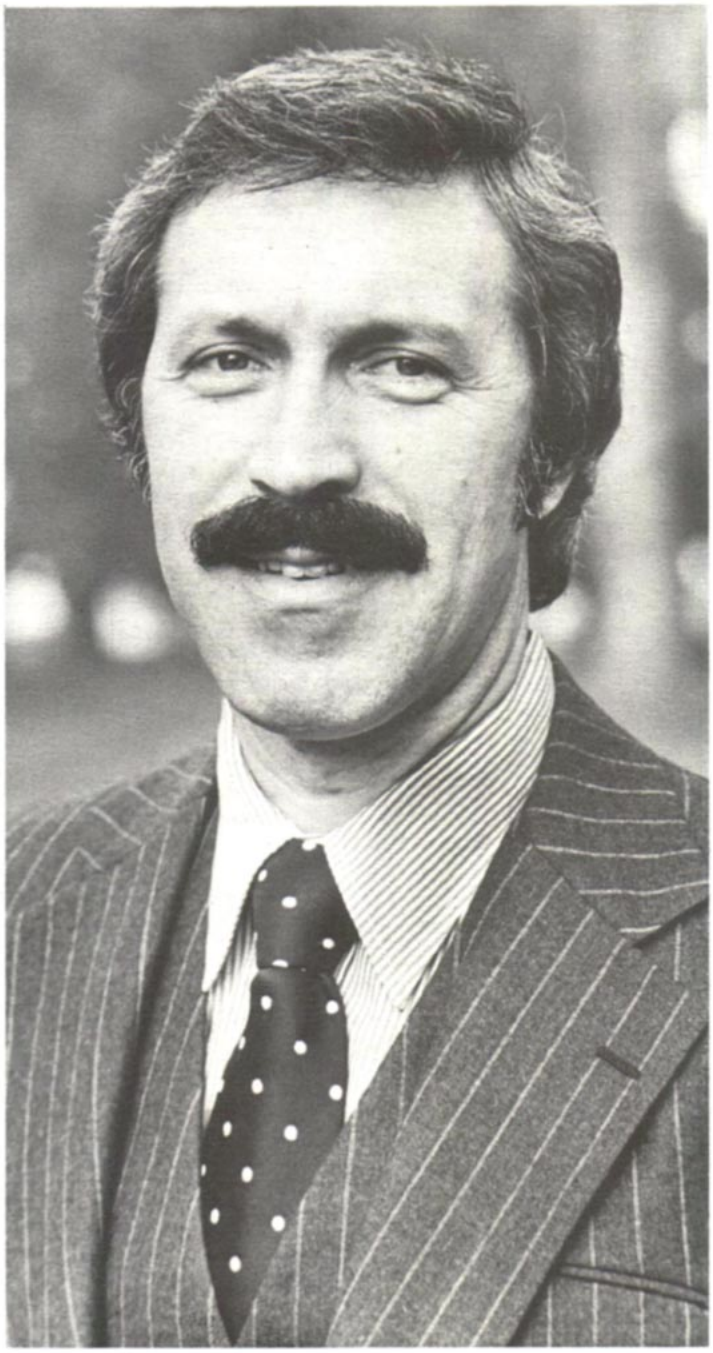

DAVID STIRLING

THE GOVERNOR'S POINT-MAN FOR RESHAPING FARM-LABOR POLICY

By BRUCE SCHEIDT

As a football-playing freshman back at high school in Louisiana, Dave Stirling wasn't much. A spindly 130-pounds on a six-foot, one-inch frame, he was regularly knocked down and stepped on by the other side. But by his senior year he had added a lot of weight, enough so that he could knock down others and be named all-state.

To Stirling, there's something of a parallel between his football playing and his political fortunes to date. As a politician, he's been knocked down and stepped on several times, but he's been putting on enough weight lately to begin thinking of a winning career.

For those who understandably may have forgotten the name, Stirling is the former assemblyman and losing candidate for state attorney general who became Governor George Deukmejian's appointee as general counsel to the Agricultural Labor Relations Board. As such, he is pointman for the governor's effort to reshape California's farm-labor policies. All through his campaign for governor in 1982, Deukmejian contended that those policies had been deliberately biased to favor labor by former Governor Jerry Brown.

Under California's farm-labor law, the general counsel is like a district attorney, prosecuting anyone he suspects of having violated the state's Agricultural Labor Relations Act. Thus his office investigates complaints against growers, labor representatives and others, deciding then whether to file a complaint against the alleged wrong-doer with the five-member Agricultural Labor Relations Board. The board, a quasi-judicial body, makes a judgement in each case.

Deukmejian appointed Stirling on January 24, 1983, and the battles began at once. Well publicized, they generally involved charges, from farm-labor leader Cesar Chavez and from Jerry Brown appointees who remained on the Board, that Stirling was deliberately biasing his action to favor growers. For his part, Stirling declared that he was merely attempting to achieve the governor's goal of making fairness in farm-labor policies "a standard instead of a joke."

Although not so much in the news anymore, the disputes continue and no end is in sight. Because each ALRB member serves a four-year term, Deukmejian appointees will not dominate the Board until 1986. But even then, Chavez' union, the United Farm Workers, undoubtedly will continue its attacks.

Publicity

What all this means is that Stirling has received and will continue to receive a fair amount of career-enhancing public exposure, particularly among influential (because they give money) grower groups. "He has shown himself to be the kind of person agriculture could support because of his intellect and ability and professionalism," says Ed Thomas, executive manager of the Delano-based South Central Farmers Committee. "Agriculture has been pleasantly surprised that he's been as strong a leader as he is."

Stirling says that he didn't take the ALRB job simply to enhance his political career. But neither is he about to reject any good things that come his way. "I have not given up the idea of ever running for political office again. I would still like to," he says. When asked for specifics, he mentions lieutenant governor or attorney general.

Not surprisingly, Stirling's enemies see his activities in a more baleful light. Board member Jerome Waldie, a

Bruce Scheidt reports from the Capitol for the Bakersfield Californian.

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Brown appointee, calls the general counsel "a real political hustler." A former congressman from Contra Costa County, Waldie continues: "This is a political job for him. He's solidifying the major financial base of any Republican, and that's the San Joaquin Valley. He's making embarrassing overtures to that constituency."

Specifically, Waldie points to Stirling's frequent speeches before grower organizations and agriculture's support network of business and GOP groups. According to Stirling's expense vouchers, many of the trips to address business and grower groups are paid for by the state. When asked why the taxpayers should finance his speaking engagements, Stirling replies: "We are changing this agency in the total philosophical direction, and the only way you do that, in light of the odds I faced when I came here, is to educate the public who pays for this agency." When asked why he speaks only to growers and not to farm-labor groups, Stirling replies that the latter haven't asked.

Moses David Kahn Jr.

He was born Moses David Kahn Jr. on September 27, 1940, in New Orleans. He attended Principia College in Illinois, a small school dedicated to the "sons and daughters of Christian Scientists." He starred in football and track and was good enough to be offered tryouts with the Chicago Bears and San Diego Chargers professional football teams. He instead entered law school at Tulane University back in New Orleans.

After receiving a law degree he married and moved to Southern California to begin a legal career in Whittier. It was at that time, in 1965, that he changed his name. He won't discuss the change, except to say, "It was a personal, family decision made many years ago, and it is private."

Some of his law clients included suspected murderers, robbers and rapists. Stirling says he enjoyed his work, taking full advantage of opportunities given his clients by police who weren't familiar yet with the Warren Court's new rules restricting search-and-seizure conduct.

"It wasn't that hard getting people off in those days," he says.

Several years into his criminal-law practice he began to evaluate what he was contributing to society. "My conservative philosophy began to conflict with what I was doing. I began making speeches to different groups about the criminal-justice system in a critical way, how it favored the criminal."

He also began getting more and more involved in politics and civic affairs. In 1974 he was appointed by Governor Ronald Reagan to the California Regional Water Quality Control Broad and chaired the Assembly campaign of now-Senator William Campbell. In 1976 Campbell moved up to the Senate, and Stirling ran for Campbell's Assembly seat. He defeated Wayne Grisham, now an assemblyman, in a tough primary.

As a freshman, Stirling served as whip under Minority Leader Paul Priolo, but in his second term a new freshman class of hardline conservatives dumped the moderate Priolo and installed Assemblywoman Carol Hallett of Atascadero as floor leader. Disliking what had happened, Stirling spent the rest of his sophomore term leading the GOP faction opposed to Hallett's leadership.

His final break with Hallett — who was to run unsuccessfully for lieutenant governor in 1982 — was over the 1980 speakership fight between Democrats Leo McCarthy and Howard Berman. Stirling had promised to vote for Berman if Berman could win a majority of Democrats to

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his side. But Hallett struck a deal with the eventual winner, Democrat Willie Brown, and expected her Republicans to go along. Stirling felt he couldn't renege on his promise and abstained when the speakership came up for a vote on the Assembly floor.

"That's when the retribution started," Stirling says now. Hallett, he says, had him removed from the influential Ways and Means and Judiciary committees, and he was moved into a smaller, so-called "freshman office."

"After awhile it became absurd. When your own party does it to you, who needs this stuff?"

Up or Out

He decided in 1982 to move up or out of politics, opting to run for the attorney general's office being vacated by George Deukmejian. But far-right conservatives, led by Republican Senator H. L. Richardson of Arcadia, backed his opponent, former assistant attorney general George Nicholson, who surprised many by winning 67 percent of the vote.

Ironically, Democrat John Van de Kamp's defeat of Nicholson in the general election created another attractive political opportunity for Stirling — that is, as replacement for Van de Kamp as Los Angeles County district attorney.

Stirling lobbied hard for the job and thought the Board of Supervisors would name him until, Deukmejian tipped the balance by endorsing Robert Philibosian, a former top deputy to Deukmejian at the state Department of Justice. Stirling was not happy about the governor's intervention.

"I did not expect that. George had never gotten involved in a campaign at a different level," Stirling says.

But there are no hard feelings today. Indeed, says Stirling, he's become a team player in the administration. Stirling submitted names and resumés to the governor's office of potential appointees to fill the ALRB seat of former chairman and Brown-appointee Alfred Song. Stirling interviewed, among others, Jeryl-Ann James Massengale, who got the appointment. The general counsel sees no conflict in helping recruit a board member who will rule on unfair labor cases he brings before the Board.

"I'm an appointee of the governor," Stirling says. "I think I have a vested interest in helping him accomplish the direction he wants this agency to go."

Some wonder how long Stirling will stay at the ALRB. Suspicions were raised last year when he told a wire service reporter that he was informally offered an appointment to the Public Utilities Commission "from the direction of the PUC." Deukmejian, who appoints the commissioners, quickly quashed any thought of change by telling reporters there never was an offer made from his office.

Stirling says now it all was a misunderstanding.

So, what happens next? Stirling says he promised the governor "not more than a couple of years" of service, which means he's still got some time to go. Meanwhile, though, he'll be continuing his efforts to add some political weight.

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Retirees fill-in when emergencies arise

By DANIEL C. CARSON

You're the mayor of San Jose and your city finance director has been fired in the midst of a $60 million municipal investment scandal. You need a financial expert, pronto.

The chief administrative officer of your county has been lured away by a private company and you need someone capable to fill in temporarily while a talent search is conducted for a replacement.

Who ya gonna call?

How about Public Service Skills Incorporated?

Word is beginning to get out about PSS — a non-profit, shoestring operation designed as a sort of "Kelly Girls" for local government.

The concept is really pretty simple, explains PSS founder and chairman Richard "Bud" Carpenter, former director of the League of California Cities. He and a few colleagues have compiled a roster of about 150 retired state and local government officials who are willing to serve as bureaucratic pinch-hitters should an occasion arise. Thus, when a city, county or special district calls PSS with its problem, PSS runs down its roster and gives the needy client one or more names. The client then makes a selection and negotiates a contract with the fill-in executive of its choice.

Carpenter says the retirees are pleased. "I think they're finding out, a lot of them, that real longevity depends on maintaining a sense of activity — socially and mentally." And the clients seem equally happy.

Experts

By hiring a temporary from PSS, the local government has more time to select a replacement. And it may save on the cost of fringe benefits, which often run to 25 percent of executive compensation and which temporaries don't get. Wrote one satisfied customer, Supervisor Tom Torlakson of the Contra Costa County board, "An organization such as yours is invaluable."

The PSS roster includes experts in police and fire, libraries, housing, engineering, data processing and education. But Giff Miller, a retired city manager who runs the PSS Southern California office in Los Angeles, says a majority of requests for temporary help come in three categories: for budget experts, planning directors and city managers. In most cases, he says, the former employees departed for bigger cities and bigger salaries. Relatively few local government executives go into private industry, he says.

But PSS does not always fill an empty chair. Often it is asked to bring in someone with special knowledge to perform some specific task.

One city manager in Contra Costa County wanted to reorganize the police department but knew this posed some delicate political problems with the existing department staff. At his request, PSS recruited a well-respected retired police chief to perform the task. Another touchy case involved a San Francisco Peninsula community in which the city fathers discovered that newly resurfaced streets were deteriorating. Since their own public works director was

Daniel C. Carson is a Capitol correspondent for the San Diego Union.

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responsible for the questionable roadwork, PSS recruited a retired public works director from another city to resolve the problem.

The city of Sausalito employed someone referred by PSS to help process a major development proposal. A Palo Alto school district found a retired city engineer to assist it in subdividing a piece of surplus property. The city manager of Sonora got professional advice from a retired finance director on how to create such a fiscal management position there.

Beginnings

The idea for PSS originated with the late Ken Smith who was about to retire as city manager of Richmond in 1982, when he died unexpectedly age 62. "He was young and vigorous and interested in doing other work," Carpenter recalls. After his death, Carpenter and a few others got together to explore Smith's idea, and PSS was born.

Carpenter, at 71, is still going strong as director of employee relations for the League of Cities — the main lobbying arm for municipal government in the state. An attorney, he joined the League staff in 1939 and retired as over-all director in 1973.

Working with Carpenter is PSS President Thomas Fletcher, a former manager of the cities of San Jose, San Diego and Washington D.C. Despite a diabetes-related disability that has weakened his legs, Fletcher also contributes to a San Francisco Bay Area management-training program — The Center for Excellence of Local Government.

Carpenter estimates that PSS has helped about 125 local governments since its founding, and Fletcher says that business is on the rise. In 1984 there were 65 requests for help compared with only 25 the year before.

Fletcher and Carpenter work for PSS without salary, as do the other PSS board members. Both the League of California Cities and the County Supervisors Association of California, which provided seed money to get PSS off the ground, have a say in its operation.

Although the organization does not formally charge for its services, it asks for contributions of $100 to $500, depending on the size of the public agency involved. Its budget for 1985 is $7800.

With budgets so small, it's hard to believe that PSS could help a major metropolis like San Jose cope with investment practices that caused a $60 million loss, the sudden postponement of important civic projects and the firing of the city finance director. But PSS found Ralph Henley, an experienced investment manager, to spend more than three months patching tattered city finances back together.

But assistance to small cities that have a hard time recruiting and keeping government professionals is more up PSS' alley. Fletcher recalls that one such Northern California locality hired a fiscal clerk who couldn't balance the city's books. At the request of the city manager, PSS lined up a retired financial officer who not only put things back to rights but taught the inept fiscal clerk to do the same.

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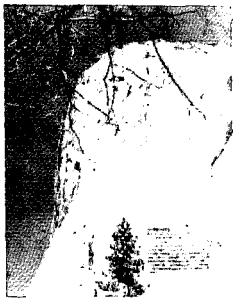


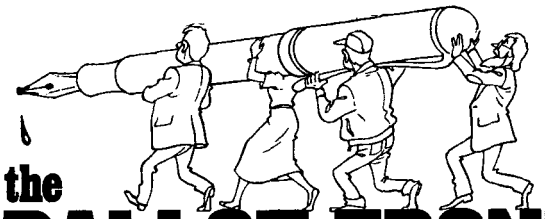
roster update

Listed below are recent changes and corrections in the ***California Journal Roster and Government Guide*** published in the February 1985 issue.

Page 4: Department of Health Services
Kenneth Kizer replaces Peter Rank as director.

Page 5: Youth & Adult Correctional Agency
The new telephone number for the Youth Authority is 427-4186. The new telephone number for the Youth Offender Parole Board is 427-4873.

Page 8:
Senator Edward Royce's district office address is 1661 North Raymond Avenue, Suite 211, Anaheim 92801.



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Local officials unite to oppose the arms race

By MELINDA WELSH

A small band of California's locally-elected officials has cut out a big job for itself: to unite colleagues across the state and nation in opposition to the current build-up of U.S. arms. At the moment, there are few signs of support, but group members remain optimistic nonetheless. "We truly believe that a national organization of locally-elected officials committed to reducing U.S. military spending can play a pivotal role in bringing a halt to the arms race," says Larry Agran, founder of the group and a city councilman in Irvine.

But others are less sanguine about the new organization and, indeed, would like it to go away. "These people weren't elected to Congress," says Sunnyvale Councilman John Mercer. "As far as I'm concerned, they can do anything they want to as individuals, but they have a certain responsibility when they wear their (county) supervisor or (city) council hats. The whole thing comes close to a misuse of public office."

The new organization is an off-shoot of the successful campaign in 1982 for Proposition 12 — the ballot measure that in effect told President Reagan and Congress that California voters supported a bilateral nuclear freeze. As co-author of the measure and mayor of Irvine at that time, Agran sent a mailing to some 400 other California mayors urging their support. Without any follow-up from him, he says, 67 responded favorably.

Agran, an attorney and former legislative staff aide, says the response indicated to him that a "real reservoir" of concern about the arms race existed among local officials. Thus, in 1983 he and several like-minded colleagues formed "Locally Elected Officials of America" or "LEO-USA."

With about 160 California mayors, council members, supervisors and school board members among its ranks, LEO has tapped only a small percentage of the approximately 8000 counterparts who could join. According to Agran, the low California membership results, in part at least, from a group decision to put home-state recruitment on a back burner. "If we dropped every other project to focus on membership, I'm confident that we could recruit 500 new California members in a month-and-a-half," he says.

National focus

Believing that a national organization is needed to affect national policies, LEO has focused instead on recruiting in other states. So far, it has been most successful in Iowa where it now has about 150 members. The effort there began in January, 1984, during the Democratic presidential primary when LEO sponsored a candidates' forum on the arms race. Televised nationally over C-SPAN, the forum not only drew then-candidates George McGovern, Ernest Hollings, Alan Cranston and John Anderson but gave LEO valuable publicity.

At the moment, LEO exists only in California and Iowa. However, Agran and company are hoping to add eight states soon and have chapters in another 15 states by 1988 — the year of the next presidential election. (The eight states targeted for immediate attention are: New Hampshire, Massachusetts, Georgia, Florida, Alabama, Wyoming, Illinois and Washington.)

Although LEO members do their work as volunteers, some money is needed to pay for postage, phone bills, meeting halls and the like. Thus far the members have raised about $30,000 since LEO's inception, about half of which comes from the Ploughshares Foundation of San Francisco, New Lands Foundation of New York and the CS Fund of Santa Rosa. The remainder, Agran says, comes from individual donations.

Agran contends that opposition to LEO — from those who say that the arms race is none of a city council's business — is dropping. "Even if they don't agree with our position, more and more officials are coming to grips with the idea that we have a right to get involved," he says.

However, opposition like that from Sunnyvale Councilman Mercer is still strong around the state. If the arms race can be a local issue, he and others argue, then everything done by the federal and state governments can be a local issue. "But if everything is a local issue, why have three separate branches of government?" Mercer asks.

LEO members contend that the arms race is a legitimate local topic because of the money that federal defense spending takes from domestic programs. "The arms race is bleeding the lion's share of available tax dollars, and local officials are right there watching it happen," says Yolo County Supervisor Bob Black. "No one can say that this is not a local issue," echoes Modesto Mayor Peggy Mensinger.

An economic boost

On that basis, others reply, LEO should support defense spending because it actually gives California's economy a boost. According to a recent report in *The Sacramento Bee*, California's share of the tax burden for U.S. defense is about $16.6 billion annually. However, Defense Department contracts bring about $26.4 billion to the state — a gain of $9.8 billion.

Whether elected officials at the state and local levels should become formally involved in national or international affairs is hardly a new dispute. Long before LEO came along, many a city council meeting or legislative session was riven by arguments over resolutions on nuclear arms, aid to Israel and the like. What seems new is the organizing of local officials on one side or the other.

"If you believe in democracy, you have to believe that individuals have the power to change what needs to be changed," says LEO member Gary Patton, a supervisor in Santa Cruz County. "I don't think any of us were elected to represent our constituents on these matters," says Jerry Adler, a council member in Davis.

Melinda Welsh is a freelance writer based in Davis.

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CALIFORNIA'S SENIOR LEGISLATURE

Exercising clout for the state's elderly

By ROBERT P. STUDER

At least three times before, the elderly of California — particularly the elderly down-and-out — have organized to better their lot. There was Dr. Francis Townsend's national effort to put $200-a-month into their pockets back in the 1930s. There were the California "Ham 'n Eggers" with their "$30 Every Thursday" of the late '30s. And then there was George McLain with his rallying cry of "$60 at 60" and his efforts through the 1940s and 1950s to gain pensions for the old and infirm.

The first two didn't succeed, but McLain had better luck. Verne Gleason, retired now but a lobbyist then for the state Department of Social Welfare, says McLain had 10,000 old folks paying him $5 a month and, although he failed to do much for them through the initiative process, he did well in the Legislature. California's elderly still get more aid than the elderly in other states, and some of those benefits can be credited to McLain, Gleason says.

Now, the senior citizens of California — not just the needy, but those from all levels of society — have put together another lobbying effort. This one, however, seems better organized and more stable than anything in the past. Not tied to the fortunes of a single leader and well-financed (for the time being, at least), it may be around for a while.

Founded in 1981, the new lobby is called the "Senior Legislature." Essentially, its leaders are 120 senior citizens from around the state who serve both as members of a mock legislature and as lobbyists to the real state Legislature. As mock legislators, they draft and approve bills to benefit all seniors. Then, as lobbyists, they seek action by the real Legislature to put those measures into law.

The whole operation is administered largely through the California Commission on Aging, a 25-member advocacy group set up by the Legislature to advise state government on issues affecting the elderly. According to John Riggle, the Commission's executive secretary, members of the Senior Legislature are elected every two years from 120 districts laid out by California's 33 area agencies on aging. (When it comes to administering senior programs, all California is divided into 33 parts.) In most cases, Riggle says, boundaries for senior legislative districts are those of real Senate and Assembly districts.

Members

Riggle says more than 400 candidates competed for the 120 Senior Legislature seats (40 Senate; 80 Assembly) during the last election in 1983, and more than 45,000 votes were cast. Each candidate must be at least 60 years of age and be willing to give two years to the strictly-volunteer task. Also, each candidate must present 25 endorsing signatures from other 60-plus-year-olds in the candidate's district. The elections, supervised by the 33 area agencies, are non-partisan.

Once elected, senior lawmakers meet at the Capitol for four days each October — while the real Legislature is in recess — to go through all the steps of the regular legislative process: bill drafting, committee hearings, floor votes, and so on. Riggle says about 110 bills were introduced last year and about 70 were approved.

And then they set their lobbying agenda. After reviewing the bills they have approved, the senior lawmakers pick 10 to be pushed by them in the real Legislature during the coming year. And this means not only returning to the Capitol to attend real committee hearings and cajole real legislators (the Commission on Aging has two staffers who

Robert P. Studer is Capitol bureau chief for Copley News Service.

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do nothing but keep senior legislators informed of committee hearings and other matters affecting their bills); the lobbying effort also includes working at the district level to generate support among real voters for what the seniors want.

One senior assemblyman, Ray W. Fisher of Davis, estimates that he spent 400 hours during a particularly busy January and February 1984 attending legislative hearings, lobbying and working with news media to get local publicity for the seniors' causes.

Given this well-organized effort among California's estimated 3.5 million elderly, it is not surprising that the Senior Legislature has accumulated a fair amount of clout. Even back in 1981, when the Senior Legislature was just getting started, then-Governor Jerry Brown overrode his own Department of Finance to sign a $500,000 appropriation to continue the state's Senior Nutrition and Volunteer Program. As he signed the measure before the Senior Legislature, he quipped, "If I was going to take their advice, do you think I would have shown up here?"

Asking seniors for help

During the 1983-84 session the seniors successfully lobbied a number of measures, including bills to establish lifeline telephone service (AB1348, Moore), abolish mandatory retirement for public employees (AB398, Chacon), create the Older Californians Training and Employment Program (AB1921, Moorhead) and create a program for residential hotel rehabilitation (SB26, Petris).

Indeed, some lawmakers now seek out the seniors and ask their lobbying help. Democratic Senator Dan Boatwright of Concord has tried three times to pass legislation requiring tougher prison sentences for criminals who prey on the elderly but lost each time in the Assembly. This year, he's asked the seniors to support a fourth try (SB241) which would give an additional five years to those convicted of violent crimes against persons over 65, disabled, blind or under the age of 14.

California is not alone with its Senior Legislature. Called "silver-haired" legislatures in most of the 21 other states which have them, they are growing increasingly active throughout the nation. And it may not be long before there is a "Silver-Haired Congress." Among the leaders of that movement is Neel Buell of Orange County, a prominent member of the Senior Legislature in 1984. He is working with Florida Congressman Claude Pepper, a prominent spokesman for the elderly.

Although launched with some help from the state's general fund, California's Senior Legislature is financially independent today — the beneficiary of one of those voluntary check-off lines on state income-tax forms (see "Income Tax Check-off," *CJ*, February 1985). Last year the Seniors Fund received about $230,000 from tax returns for 1983. The money came from some 64,000 taxpayers who either subtracted an average $3.61 from their tax refunds or (in a real test of generosity) added an average $3.61 to their tax bills and — whether subtracting or adding — designated the money for seniors.

(Tax-check-off income for seniors is down this year, however, because taxpayers have apparently confused the Senior Legislature with the real Legislature. Last year the check-off was labeled "senior funding" on tax returns. This year it was changed to "Senior Legislature," making many taxpayers think that the real Legislature was the beneficiary. A spokesman for the Franchise Tax Board confirmed that the altered wording is responsible for the seniors' lower income.)

Money was not always so easy. Although the Senior Legislature first met in 1981, it was actually created in 1980 with a resolution authored by then-assemblyman and now state Senator Henry Mello of Monterey (ACR129). Financing then came in the form of a $25,000 grant from the Levi Strauss Foundation and $25,000 from the state.

In 1981 the Legislature increased its contribution to $41,000 as the seniors raised only $15,000. In the following year the state gave another $41,000 but the seniors' share dropped to $12,000. However, in 1982 the situation changed as the Legislature approved a bill (AB50) by Democratic Assemblyman Art Agnos of San Francisco that gave seniors the income-tax privilege. But the measure contains a sunset clause; unless the seniors can convince the Legislature otherwise, their new source of wealth will dry up on December 31, 1986.

Thanks to the new money, the Legislature has taken back its $41,000 allocation and — in the wake of last June's Gann initiative which required a reduction in Legislative spending — the lawmakers are now charging their Senior Legislature counterparts for the services of the Legislative Counsel. (That's the corps of staff attorneys who draft bills and give the real Legislature its legal advice.) The fee is $25,000 for the seniors' annual four-day meeting and is expected to include another $15,000 a year for ongoing legal advice.

Prior to the arrival of the new funds, members of the Senior Legislature had footed many expenses from their own pockets. But for the first time last fall, members received the standard per diem that the state provides for overnight employee travel — $66 per day.

Lobbying help

The Agnos bill put a $75,000 cap on the amount of new money that may be spent for the seniors' annual legislative session and another cap of $250,000 on the new money that may be spent for ongoing advocacy work. Much of the money for ongoing advocacy will be spent to bring more senior legislators to the Capitol as lobbyists. Ray Fisher, the Davis man who put in 400 hours last January and February, likes the idea of more help. "I was pretty well burned out by the time it was over. I had to give up just about all of my personal life," he says.

If the income tax check-off raises more than $325,000 in future years, the Agnos bill directs that the state Commission on Aging spend the excess on direct services for the elderly. Executive Secretary Riggle says the seniors hope to raise $1 million eventually and spend the extra money on pilot projects that could serve as models for programs that then might be financed by the state. He said he was speaking of "innovative transportation plans for seniors, protective services programs and the like."

Despite their interest in state funding, no one is saying that the Senior Legislature is dominated by the poor. Judging by the kinds of bills these silver-haired lawmakers have selected for priority attention, it would seem their interests are broader than they were in McLain's day. "The stereotype of the elderly being poor and frail and helpless is not the case at all," says Riggle. "Only 20 percent of the state's elder population is below the poverty level."

However, the fear of becoming poor because of health-care costs is immense. "Anyone who goes into a nursing home will find family assets wiped out in a couple of years," Riggle points out. "That is why they are so concerned over the cuts in Medicare and why the national health-care issue has been identified as the number one national priority by this state's Senior Legislature."

But, says Riggle, despite their intense concerns, senior legislators have become sophisticated about what can be done. Unlike many crusaders of the past (and present), they are willing to give a little to get what they want. "If you must give up 10 percent to get 90 percent, it's still a good deal," Riggle says.

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ANOTHER MAYORAL RACE

Lionel Wilson, Wilson Riles Jr. square off in Oakland

By STEVE KETTMANN

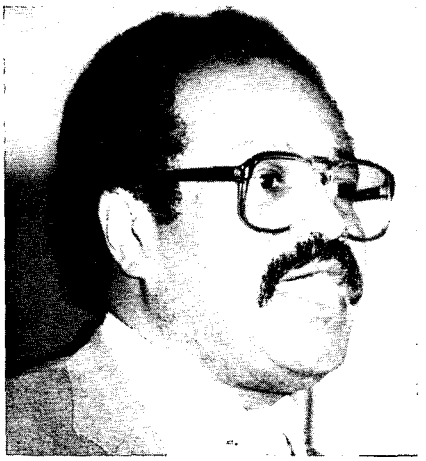
Any self-respecting follower of California politics knows that Los Angeles voters go to the polls this month to reject, re-elect or force into a runoff three-term Mayor Tom Bradley — the Democratic nominee for governor in 1982 and at this moment likeliest person to fill the same role next year. But that's not the only mayoral election this month; there's also another big-city contest in Oakland where two-term Mayor Lionel Wilson is facing a challenge from City Councilman Wilson Riles Jr. — son of the former state superintendent of public instruction.

Wilson, a 69-year-old former Superior Court judge, is the first black ever and the first liberal in decades to hold the city's top post. For years Oakland had been dominated by a small group of conservative businessmen and politicians who controlled city hall and the *Oakland Tribune*. But like most major cities, Oakland has been through major changes in the last 35 years. Census figures show the percentage of blacks in the city jumping from 22.5 in 1950 to 47 in 1980. In the turbulent early '70s Black Panther leader Bobby Seale took a crack at incumbent Mayor John Reading and brought him to a runoff. Four years later, in 1977, Wilson, with support from white liberals and some people in the business community, defeated Reading and was unchallenged four years later.

Riles, 38, is a Stanford graduate who served two years in the Peace Corps and taught public school in Oakland. Since 1977, however, he's been more active politically, serving as administrative assistant to Alameda County Supervisor John George. He was first elected to the city council (a part-time job) in 1979 and was re-elected two years ago with 67 percent of the vote.

Politically, Wilson — the former judge — is starchy and reserved and concedes that he should get out and talk more to members of the community. Riles, on the other hand, is a more articulate and forceful speaker. Like his father, he speaks softly but with emotion.

Steve Kettmann is a freelance writer from Berkeley.



WILSON RILES JR.

LIONEL WILSON

Conflict over growth

The major conflict between the two men centers around Wilson's largely successful efforts for eight years to spur development and growth. In a recent article, *The Los Angeles Times* described Oakland as "the comeback kid," and said, "Oakland is heading into a new lease on life . . . undergoing a transformation that perhaps is unmatched by any other American city."

Says Wilson: "My vision of Oakland is a vision of a city that is showing the nation what it can do in terms of rebuilding the city, in terms of improving its economic base, improving social conditions in the city and providing affordable housing for those who need it. The urban cities have been in trouble for years. They have had trouble getting a handle on their problems. I think we are doing that here in Oakland because of the people in this city."

Riles responds to such statements by charging that the new jobs created by Wilson-backed development bring only marginal help to Oakland residents. The beneficiaries, he says, are commuters from the suburbs who spend little time and money in the city. According to Riles, Wilson's concentration on downtown development is a reflection of the undue influence that corporate leaders have on the mayor. As mayor, Riles says, he would require that more of the new jobs coming to Oakland be given to Oakland residents.

By most accounts, Wilson will have his four more years. Not only does he have all the advantages of incumbency, but he has a big lead in fundraising. During the last six months of 1984, for instance, he raised $106,951 to Riles' $38,662. Riles was also hurt when two of his political allies — Democratic Congressman Ron Dellums and former presidential candidate Jesse Jackson — remained neutral.

But despite their political and stylistic differences and their disputes over development, the chemistry of the Wilson-Riles contest does not seem volatile. At a recent city council meeting, the looming political confrontation was very much in the air, as it has been for many months. But the mood was cordial, almost jovial. During a discussion of how to limit the unsightly proliferation of campaign placards, Wilson and Riles got into some good-humored gibing.

Said Wilson, out of the blue, "I'd like to put a sign on Wilson Riles' lawn." Then he added musingly, "I don't know how long it would stay there."

Riles piped in quickly, but good-naturedly, "For about three seconds." The high-ceilinged council chamber echoed with laughter. Wilson, seated behind a desk raised a couple of feet higher than those of the other eight council members, smiled with satisfaction.

Getting into the spirit of the moment, Riles asked, "What would it say?" Said Wilson, looking very much like a judge (relaxed, but in control), "I like Wilson Riles and think he ought to stay a city council member."

Riles' smile did not fade.

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ROSTRUM

Kesterson

Your commentaries on California politics and government are typically among the most insightful and thoughtfully written. That is why I was disturbed to read your opinion ("Capitol Review," February 1985) chiding Governor Deukmejian for "failing" to address the situation at Kesterson Reservoir in his State-of-the-State speech. We believe it would have been absolutely inappropriate for the governor to have commented on this issue, since the matter was before the state Water Resources Control Board. The Board is an independent, quasi-judicial body. Therefore Governor Deukmejian would have been criticized, and rightly so, for appearing to intervene and impose his judgment upon the Board while the sensitive and important issues relating to Kesterson were under review by gubernatorial appointees.

Let me turn the tables and suggest that you "failed" to include a significant fact in your commentary: this administration's active response to the growing dangers associated with toxic wastes. During the past two years, 89 hazardous waste sites have been cleaned up, as opposed to just 13 in the previous eight years. We have conducted more than 2500 inspections compared to only 125 during the previous administration. And we have fined toxic polluters some $1.6 million, where not one penny in fines was levied in the previous eight years. To further improve California's response to the growing danger of toxic waste, Governor Deukmejian has recently proposed a new Department of Waste Management to improve coordination of the state's efforts to manage the handling, regulation and disposal of hazardous wastes.

Governor Deukmejian believes that the disposal of hazardous wastes is the foremost public health and environmental challenge facing our state today. And the record shows that he's doing something about it.

STEVEN A. MERKSAMER
Chief of Staff

Justice Mosk

While I hope I do nothing heinous enough to justify my photo appearing in the *California Journal*, I believe you should have a more recent photo on hand. I was

embarrassed — and you should be, too — that on page 103 of your March issue appeared a purported likeness of me, circa college graduation. While I have gone downhill since that era, the public is entitled to know that fact.

STANLEY MOSK
Associate Justice
California Supreme Court

Lobbyists

I enjoyed your February article, "Lobbyists: A New Symphony of Service." However, the reporting of last session's trade war between Pearle Health Services and California optometrists was akin to writing a history of the American Revolutionary War and only noting the strategy, tactics and organization of George III's generals. For the record, the name of the General Washington of this conflict is Norma Dillon of the California Optometric Association.

JOHN P. GRATTAN
Sacramento

Cover cartoonist (Paul) Duginski (February 1985) left out one pipe on the infernal machine being fingered by the figurative lobbyist: Manipulation (when they can) of news media.

BOB STEINBRINCK
News Director, KMPC
Los Angeles

Obscure records

Your admittedly unverified report of a "record" claimed by an Oakland attorney as "the only California lawyer to argue before the U.S. Supreme Court in two consecutive years" (Up Front, February 1985) reflects his unawareness of the many other lawyers who have had that experience. Without laying claim to any record myself, I represented the State of California in six oral arguments before the U.S. Supreme Court between 1969 and 1972.

JUDGE RONALD M. GEORGE
Superior Court of Los Angeles

(Editor's note: Several other attorneys, including a former deputy attorney general, have also written to inform us that they, too, matched that lawyer's record.)

Oregon

The article entitled "Environmental protections help attract business to Oregon" (*CJ*, January 1985) is the best story Oregon can tell to bring industry to that state. Hewlett Packard's experience is that, in California, regardless of how well they have planned their projects to meet a community's needs, they find serious objections and prolonged delays.

The article seems to argue that strict controls encourage industry. It infers further that American industry opposes reasonable controls. This is absolutely false. Industry wants reasonable regulations. They have investments to protect. What they need even more is certainty. They want to get definite answers and want to find them on the books. This is a government of laws instead of a government of men (or women).

Another thing that should be noted is Oregon's zoning-provision 10 that requires housing be provided at price levels commensurate with local households. Examine most communities in California and you will find they have made it impossible for a working man or woman to buy a house. More and more industries are going to find this a reason for leaving, for not expanding or not coming to California. Thus, it would appear that in most cities and counties, laws and government are driving industry out of this state and destroying jobs, especially for the young.

PAUL GOLIS
Camarillo

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(A review of top stories during the past 30 days)

MISTRIAL FOR HEDGECOCK

(February 13th): San Diego Mayor Roger Hedgecock escaped conviction on 13 counts of conspiracy and perjury in connection with a campaign-fund laundering scheme when a mistrial was declared because one of 12 jurors — a supervisor in the city's sanitation department — held out for acquittal. Assistant District Attorney Richard Huffman says Hedgecock, 38, will be retried (see "Hedgecock," *CJ*, September 1984).

TAX URGED ON FOOD, MEDICINE

(February 14th): Governor George Deukmejian's Tax Reform Advisory Commission issued a report calling for, among other things, a sales tax on necessities like food, water and medicine. The Commission also called for a simplified income-tax system and higher property-tax assessments on business property than on residential property. Deukmejian, who created the Commission last year, opposes the sales and property tax proposals. Nor does it seem likely the Legislature will go along, for lawmakers have defeated similar ideas in the past.

NEW SEBASTIANI REMAP DRIVE

(February 14th): GOP Assemblyman Don Sebastiani of Sonoma announced a new campaign to place a reapportionment initiative on the ballot despite pleas from within his own party — including from Governor Deukmejian — to forego the effort. It is Sebastiani's second attempt to reapportion the state through the ballot; in 1983 his first try was struck down by the state Supreme Court.

STATE'S CREDIT RATING IMPROVES

(February 21st): For the first time since passage of Proposition 13 in 1978, California's bond rating went up instead of down. Standard & Poor's said it upgraded the state from AA to AA+ because of the state's billion-dollar reserve and strong economy. The higher rating will mean lower interest payments for general obligation bonds. Before 1978, the state's bonds were rated AAA.

AN UN-COMMONS AFFAIR

(February 25th): Senate President pro Tempore David Roberti rescinded privileges that had allowed a 71-year-old former lobbyist — David Commons — to use a Senate office in the Capitol and have access to the Senate floor without a pass. Commons' uncommon status — granted last year by Roberti — had been revealed in a February 17th article by UPI Capitol reporter Rebecca LaVally and had been described by some insiders as "a felony waiting to happen." Commons, who once lobbied for a hospital corporation and still serves as its consultant, last year contributed over $14,000 to legislative candidates from both parties — including $4000 to Roberti.

SPEAKER'S CAR COLLIDES WITH BIKE

(March 5th): A black Jaguar driven by Assembly Speaker Willie Brown collided with a bicycle at L Street and the Capitol garage driveway. The bicyclist, a 26-year-old female state employee, was held in a local hospital overnight for observation. She was later ticketed by Sacramento police for ignoring a red light. Brown was not cited.

STRS GETS AN OIL FIELD

(March 5th): A federal bankruptcy court in Denver awarded the State Teachers Retirement System a Texas oil field and $39 million in U.S. Treasury bonds as partial repayment for a $50 million loan to a now-defunct oil-drilling company — TXPACCO Inc. Although the bonds are saleable, oil experts claim that the oil field may be worthless in today's market. The 1983 loan was pushed by state Controller Ken Cory and by former STRS board chairman Gilbert Chilton. Chilton has since disappeared and is suspected of receiving a bribe in return for his influence.

NURSING HOME BILLS SIGNED

(March 6th): Governor George Deukmejian signed bills (AB180 and SB53) meant to improve care at the state's 1200 nursing homes. Among other things, the new laws stiffen penalties for negligent patient care, require the state to publish a quarterly list of homes "in good standing" and give municipal courts jurisdiction over alleged violations. The governor had vetoed a similar package last year, charging that lawmakers had tied the provisions to other nursing-home provisions that he did not like.

STATE WORKFARE PROGRAM PROPOSED

(March 7th): Governor Deukmejian and Republican legislative leaders proposed legislation that would establish a program to put able-bodied welfare recipients to work. The proposal is based on a San Diego experiment, begun in 1982, where recipients are given job training and work experience in exchange for benefits. Health and Welfare Secretary David Swoap said the plan offers those on welfare a chance to free themselves from state dependency. Critics charged that it is forced labor.

MORIARTY PLEADS GUILTY

(March 13th): In a surprise move, Orange County fireworks magnate W. Patrick Moriarty pled guilty to seven charges of mail fraud and corruption and agreed to cooperate in the investigation of politicians implicated in his schemes (see "The Morarity Affair," *CJ*, March 1985). Former associates say Moriarty provided laundered campaign contributions, prostitutes and other favors to lawmakers and other officials to gain political influence. Among recipients cited in news reports are former Democratic Assemblyman Bruce Young, now a lobbyist; Democratic assemblyman Michael Roos of Los Angeles and Frank Vicencia of Bellflower — both members of the Assembly leadership — and state Senator Dan Boatwright, a Concord Democrat.

FEDS CLOSE KESTERSON

(March 15th): The U.S. Interior Department ordered a halt to the flow of selenium-laced irrigation water into drainage ponds at the Kesterson National Wildlife Refuge. The decision could take 42,000 acres of San Joaquin Valley farmland out of production and could cost the state's economy $70 million. According to Interior officials, Kesterson was closed because contamination posed a threat to migratory birds that are protected by several international treaties. But critics charged that the administration used minor treaties to take the heat off itself and place it instead on Congress, which must now come up with a legislative solution to the Kesterson problem.

A. G. Block

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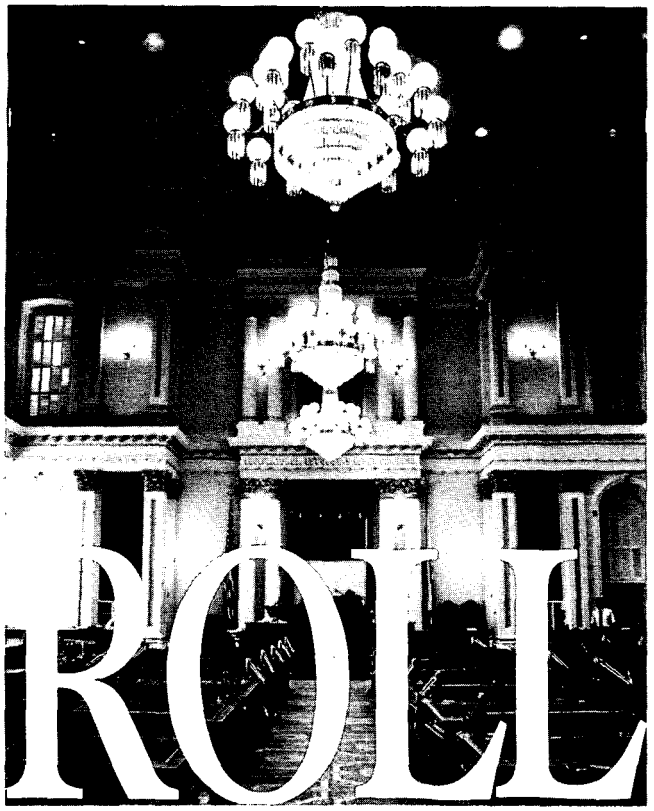

ROLL CALL

A defeated bill often has more votes in favor than against. This occurs because all bills, on the floor and in committee, need at least an absolute majority to pass. Thus, a bill may be approved 40-28 in the 80-member Assembly but be defeated because it failed to get the 41-vote majority. Urgency, appropriation and tax measures require two-thirds majorities on the floor, as do proposed constitutional amendments and veto overrides.

ASSEMBLY

AIDS BLOOD TESTS

AB 488 (Roos). Requires all blood banks and plasma centers to test human whole blood for the presence of AIDS. Passed February 15th, 59-1.

DEMOCRATS FOR: Agnos, Alatorre, Bates, Bronzan, Willie Brown, Campbell, Chacon, Clute, Condit, Connelly, Davis, Eaves, Elder, Hannigan, Harris, Hauser, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Moore, Moorhead, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Allen, Bader, Bradley, Felando, Ferguson, Filante, Frazee, Frizzelle, Grisham, Hill, Kelley, Konnyu, Lancaster, Leonard, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Statham, Stirling, Wyman.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Baker.

(All other members either absent or not voting)

AIDS CONFIDENTIALITY

AB 403 (Agnos). Makes information related to the testing of persons for AIDS confidential. Supporters say the measure is designed to protect the privacy of homosexuals who submit to blood testing for AIDS. Opponents object to withholding blood-test results. Passed February 15th, 58-4.

DEMOCRATS FOR: Agnos, Alatorre, Bates, Bronzan, Willie Brown, Campbell, Chacon, Clute, Condit, Connelly, Davis, Eaves, Elder, Hannigan, Harris, Hauser, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Moore, Moorhead, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Allen, Bader, Bradley, Felando, Ferguson, Filante, Frazee, Frizzelle, Grisham, Hill, Kelley, Konnyu, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Naylor, Nolan, Statham, Stirling, Wyman.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Baker, Dennis Brown, La Follette, Mountjoy.

(All other members either absent or not voting)

LEGISLATORS' SALARIES

AB 120 (Papan). Increases the annual salary of state lawmakers from $33,732 to $37,105, effective December 1st, 1986. Proponents contend that legislators are entitled to cost-of-living increases. Opponents feel that such increases are not justified because of other funding priorities in the state budget. Passed February 21st, 56-21.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Eaves, Elder, Farr, Floyd, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, Norman Waters.

REPUBLICANS FOR: Bradley, Frazee, Johnson, Kelley, Konnyu, Lancaster, Leonard, Mojonnier, Statham, Stirling.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Allen, Bader, Baker, Dennis Brown, Felando, Ferguson, Filante, Frizzelle, Grisham, Herger, Jones, La Follette, Lewis, McClintock, Mountjoy, Naylor, Rogers, Seastrand, Sebastiani, Wright, Wyman.

(All other members either absent or not voting)

HORSERACING

AB 151 (Hill). Would allow the Peninsula Quarter Horse Racing Association to pay a lower state license fee than two other racing associations. Supporters contend PQHRA needs another license fee-reduction because its racing meets have not been profitable since 1973. Critics say other racing associations have managed to show a profit and the PQHRA does not deserve special treatment. Passed February 21st, 56-15.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Willie Brown, Calderon, Campbell, Chacon, Clute, Cortese, Costa, Davis, Eaves, Farr, Harris, Hughes, Killea, Klehs, Moore, Papan, Peace, Robinson, Roos, Tanner, Vicencia, Norman Waters.

REPUBLICANS FOR: Allen, Bader, Baker, Bradley, Dennis Brown, Felando, Ferguson, Filante, Frazee, Frizzelle, Grisham, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, Mojonnier, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright.

DEMOCRATS AGAINST: Bates, Connelly, Hauser, Hayden, Isenberg, Johnston, Katz, Margolin, McAlister, Moorhead, O'Connell, Tucker.

REPUBLICANS AGAINST: McClintock, Mountjoy, Wyman.

(All other members either absent or not voting)

STATE LOTTERY

AB 148 (Papan). Authorizes cities and counties to be selected as lottery game retailers. Sponsors contend that local governments should be allowed to contract to sell lottery tickets. Critics argue that it would not be fair for government to compete with small businesses. Urgency clause refused adoption February 25th, 45-33.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Clute, Connelly, Cortese, Costa, Davis, Eaves, Elder, Farr, Hannigan, Hayden, Hughes, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Robinson, Roos, Tanner, Tucker, Vasconcellos, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Allen, Bradley, Frazee, Grisham, Hill,

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Mojonnier, Mountjoy, Stirling.
DEMOCRATS AGAINST: Condit, Floyd, Harris, Hauser, Isenberg, McAlister, Moorhead, Peace, Sher.
REPUBLICANS AGAINST: Bader, Baker, Dennis Brown, Felando, Ferguson, Filante, Frizzelle, Herger, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Wright, Wyman.
(All other members either absent or not voting)

APPRENTICES

SB 167 (Montoya). Appropriates $150,000 to cover higher reimbursement rates for instruction to apprentices, including the joint apprenticeship program for firefighters. Supporters say that because of the expiration of other funding, a stable funding source for these programs is needed through January 1987. Opponents object to using state funds to loan this program money. Passed February 25th, 71-6.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, Willie Brown, Calderon, Campbell, Chacon, Clute, Connelly, Cortese, Costa, Davis, Eaves, Elder, Farr, Floyd, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, Maxine Waters, Norman Waters.

REPUBLICANS FOR: Allen, Baker, Bradley, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Stirling, Wright, Wyman.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Bader, Dennis Brown, Grisham, Lewis, McClintock, Sebastiani.
(All other members either absent or not voting)

SENATE

STATE LOTTERY

SB 35 (Dills). Requires lottery proceeds to be distributed to schools, colleges, and universities not less than quarterly and enacts provisions for the regulation of lottery game retailers. Bill implements the state lottery initiative approved by voters in November. Passed February 21st, 33-1.

DEMOCRATS FOR: Ayala, Boatwright, Carpenter, Deddeh, Dills, Foran, Garamendi, Leroy Greene, Hart, Keene, Lockyer, McCorquodale, Montoya, Petris, Presley, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.
REPUBLICANS FOR: Bergeson, Beverly, Campbell, Craven, Davis, Doolittle, Maddy, Morgan, Richardson, Royce, Russell, Seymour.
DEMOCRATS AGAINST: None.
REPUBLICANS AGAINST: Ellis.
(All other members either absent or not voting)

LEGISLATIVE EMPLOYEES

SCR 13 (Joint Rules Committee). Resolution to provide that the Legislature shall make employee contributions for legislative employees to the Public Employees' Retirement System (PERS) and the legislators' retirement system for the purpose of deferring income taxes on the contributions. Passed February 11th, 31-3.

DEMOCRATS FOR: Ayala, Boatwright, Carpenter, Deddeh, Dills, Foran, Garamendi, Bill Greene, Leroy Greene, Keene, Lockyer, McCorquodale, Mello, Montoya, Petris, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.
REPUBLICANS FOR: Bergeson, Beverly, Doolittle, Ellis, Maddy, Marks, Nielsen, Seymour.
DEMOCRATS AGAINST: None.
REPUBLICANS AGAINST: Richardson, Royce, Russell.
(All other members either absent or not voting)

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Perspective from
WASHINGTON
By Leo Rennert

A loyal trooper

It's difficult for old Washington hands to get used to George Deukmejian's low-key act on the national stage. Raising self-effacement to new heights, he has shied away from emulating the high-profile, razzle-dazzle performances that were standard fare for his two predecessors — Jerry Brown and Ronald Reagan. When they served in Sacramento, a gubernatorial trip to the nation's capital was a major event. Members of Congress sat up and took notice, governors from other states nursed bruised egos as the press stampeded to hear what California's chief executive had to say, and the White House trembled at the approach of a potential presidential rival. In contrast, a Deukmejian visit to Washington is about as exciting as adding another billion dollars to the national debt. You know it's happening; but who really cares and what difference does it make?

DEUKMEJIAN'S NON-IMPACT in Washington is not just due to a laid-back style that has supplanted 16 years of the Reagan-Brown brand of brash assertiveness. The bottom line is that Brown and Reagan were seen as presidential aspirants while Deukmejian's national ambitions fall somewhere between invisible and non-existent. Reagan and Brown brought their own agenda to Washington. Each directly challenged a White House occupant of his own party. Deukmejian, on the other hand, is a loyal trooper, content to rubber-stamp Reagan policies across the board.

Reagan had been governor only two years when he tried to wrest the 1968 GOP presidential nomination from Richard Nixon. After Nixon became president, Reagan waged ceaseless battles with a Republican administration over federal welfare, legal-aid and anti-poverty programs. After Watergate, Reagan was an even bigger thorn in Jerry Ford's side and almost denied him the nomination in 1976. When Reagan attended a national governors' conference, it had nothing to do with transacting state business. He already was a national star and would spend only a few minutes at business sessions with fellow governors. The biggest chunk of his time was devoted to non-stop press interviews, meetings with editorial boards of Eastern newspapers and political plotting with conservative groups. The White House couldn't wait until he got out of town.

Brown carried on this tradition with even greater flourish. He nearly derailed Jimmy Carter's bid for the 1976 nomination and went all-out in the next four years trying to prove that the voters had made a mistake. The rivalry between the Georgia peanut farmer and the California guru turned into a merry soap opera that had Democratic politicians sitting on the edge of their seats. Each dripped with contempt for the other. When Brown came marching to the White House, it had all the trappings of the Visigoths knocking at the gates of Rome. Those on the inside knew the enemy had crossed Pennsylvania Avenue and it was time to raise the drawbridge.

Enter Deukmejian. Not with a bang, but on tiptoes. At the recent governors' conference, he was a model of the well-behaved, unquestioning Reagan loyalist. While other governors — Democrats and Republicans — blasted Reagan's budget for sacrificing domestic programs to pour more dollars into defense, Deukmejian kept mostly quiet. When he did speak up, he argued that Reagan's big victory last November entitled the president to deference and support. He emerged as the only Republican governor to vote against a resolution calling for drastic changes in Reagan's spending priorities. Most governors wanted fewer guns and more butter, but not Deukmejian. Despite strong outcries against Reagan's budget by city and county officials in California, the governor said he was quite willing to absorb his share of cuts in health, welfare, mass-transit, urban-renewal, economic-development and other domestic programs. Deukmejian also dissented when the governors called for a possible tax hike, along with spending cuts, to reduce Reagan's huge deficits. Said Deukmejian: "The people just about 100 days ago made a choice." While many Republican governors charged that Reagan was passing the buck to the states, Deukmejian cast lone votes against several resolutions to restore cuts in domestic programs. He tried to keep any political fuss to a minimum and avoided the spotlight as much as possible. He declined a television offer for a joint appearance with Democratic Governor Mario Cuomo of New York that could have given him some extra national exposure. Reagan, who played his own games as governor, has no reason to look over his shoulder today and worry about what the current governor of California may be up to.

DEUKMEJIAN ALSO HAS BEEN CAREFUL not to lock horns with the administration over the Treasury Department's highly controversial tax-reform plan to eliminate the deductibility of state and local taxes. The proposal is seen as a major threat to high-tax states like California where it would have the greatest negative impact. Cuomo took the lead in drumming up opposition. In a rare show of bipartisan agreement, California Senators Alan Cranston and Pete Wilson joined their New York colleagues — Democrat Daniel Moynihan and Republican Al D'Amato — in sponsoring legislation to block the tax change. Deukmejian, however, decided against tangling with the White House and remained on the sidelines.

Does all this indicate that he's totally bereft of national ambitions? Not necessarily. Unlike Reagan and Brown, Deukmejian simply has ruled out a frontal assault on the White House. That doesn't mean that he has given up hope of entering some day through the back door. At the Republican National Convention last August, he flatly ruled out a presidential run in 1988. But he also stepped to the podium to nominate George Bush for vice president. What better way to increase the chances for a Bush-Deukmejian ticket than to cool it in the meantime?

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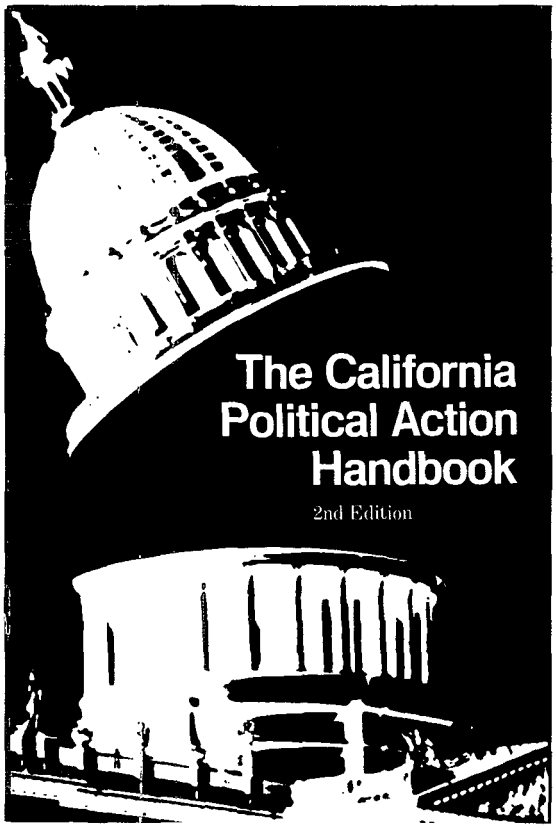

How can an organization or an individual send a message with maximum impact to the decision makers in Sacramento? What tactics should be used to get legislators to vote one way or the other on a specific bill? How can the state bureaucracy be penetrated? How can elections be won in California?

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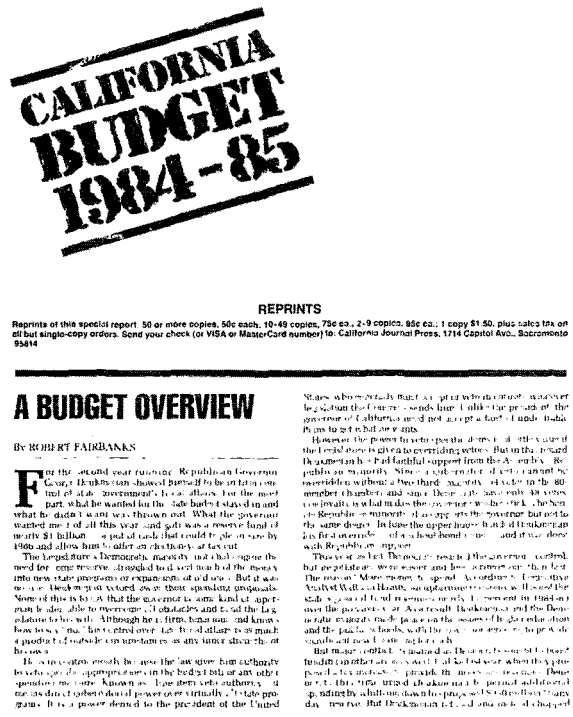
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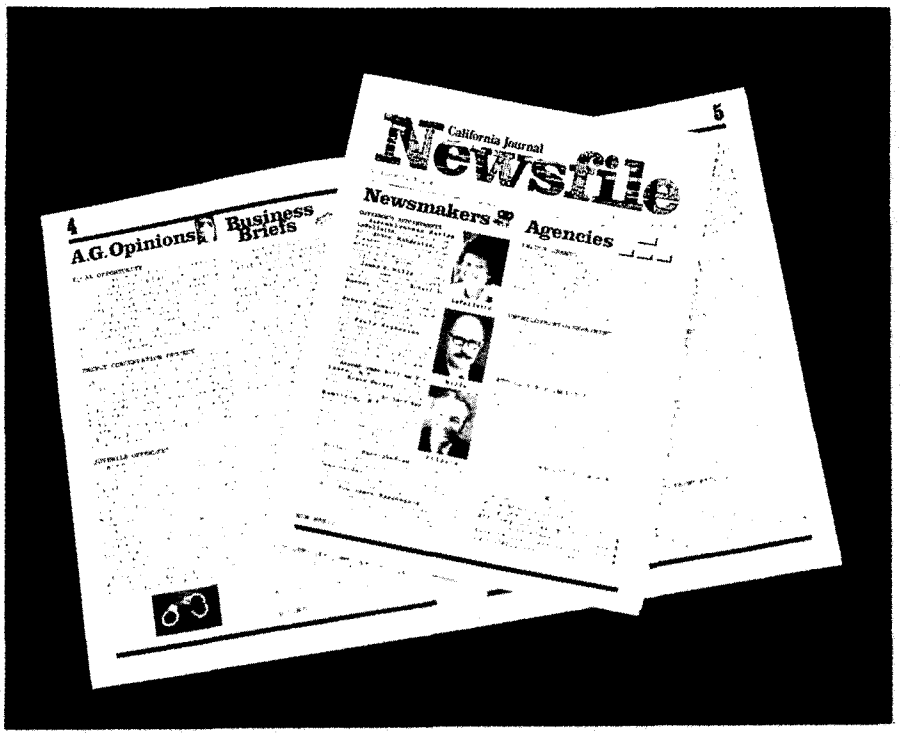

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